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सं० 40]

नई दिल्ली, शनिवार, अक्तूबर 1, 1994/ अश्विन 9, 1916

No. 40]

NEW DELHI, SATURDAY, OCTOBER 1, 1994/ASVINA 9, 1916

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांख्यिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government
of India (other than the Ministry of Defence)

विधि, न्याय और कंपनी कार्य मंत्रालय

(कंपनी कार्य विभाग)

नई दिल्ली, 23 अगस्त, 1994

का. जा. 2508.—केन्द्रीय सरकार, कंपनी अधिनियम, 1956 (1956 का 1) की धारा 620क की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नातगनालूर परमानेंट फंड लिमिटेड को, जिसका रजिस्ट्रीकृत कार्यालय तमिलनाडु राज्य में 15, कृष्णास्वामी, नायडू स्ट्रीट पलबंथनगल, मद्रास-600014 में है, एक निधि घोषित करती है और यह निदेश देती है कि भारत सरकार के भूतपूर्व वाणिज्य और उद्योग मंत्रालय (कंपनी विधि प्रशासन विभाग) की अधिसूचना सं. सा. का. नि. 978 तारीख 28 मई, 1963 की अनुसूची 3 के स्तंभ (1) में विनिर्दिष्ट उक्त अधिनियम के उपबंध उक्त निधि को लागू नहीं होंगे या, प्रस्थापित, उसके स्तंभ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अपवादों,

उपांतरणों और अनुकूलनों सहित लागू होंगे और उक्त अधिसूचना का निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची 1 में, मद 146 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित मद और प्रविष्टियाँ जोड़ी जाएंगी, अर्थात्:—

“147, नातगनालूर परमानेंट फंड लिमिटेड मद्रास।”

[फा. सं. 37/27/90-सी. एल. 3]

धर्म पाल, अवर सचिव

टिप्पणी :—मूल अधिसूचना सा. का. नि. संख्या 978, दिनांक 28 मई, 1963 को अधिसूचित की गई थी और तदनुसार यथासंशोधित की गई:—

1. सा. का. नि. सं. 1681 दिनांक 11-10-63
2. सा. का. नि. सं. 853 दिनांक 4-6-64
3. सा. का. नि. सं. 297 दिनांक 12-2-65
4. सा. का. नि. सं. 1332 दिनांक 30-8-65

5. सा. का. नि. सं. 111 दिनांक 14-1-66
6. सा. का. नि. सं. 1543 दिनांक 1-10-66
7. सा. का. नि. सं. 607 दिनांक 29-4-67
8. सा. का. नि. सं. 608 दिनांक 29-4-67
9. सा. का. नि. सं. 1461 दिनांक 6-5-69
10. सा. का. नि. सं. 2707 दिनांक 18-11-69
11. सा. का. नि. सं. 1306 दिनांक 27-7-71
12. सा. का. नि. सं. 1 दिनांक 21-12-73
13. सा. का. नि. सं. 890 दिनांक 22-6-74
14. सा. का. नि. सं. 275 दिनांक 14-2-75
15. सा. का. नि. सं. 409 दिनांक 29-3-75
16. सा. का. नि. सं. 1300 दिनांक 11-9-76
17. सा. का. नि. सं. 426 दिनांक 8-3-78
18. सा. का. नि. सं. 728 दिनांक 28-4-78
19. सा. का. नि. सं. 1296 दिनांक 4-10-79
20. सा. का. नि. सं. 1100 दिनांक 9-10-80
21. सा. का. नि. सं. 1099 दिनांक 9-10-80
22. सा. का. नि. सं. 164 दिनांक 10-2-83
23. सा. का. नि. सं. 843 दिनांक 19-11-83
24. सा. का. नि. सं. 844 दिनांक 19-11-83
25. सा. का. नि. सं. 217 दिनांक 25-2-84
26. सा. का. नि. सं. 231 दिनांक 20-2-85
27. सा. का. नि. सं. 21 दिनांक 24-12-85
28. सा. का. नि. सं. 275 दिनांक 3-3-86
29. सा. का. नि. सं. 306 दिनांक 11-4-80
30. सा. का. नि. सं. 70 दिनांक 22-6-80
31. सा. का. नि. सं. 961 दिनांक 24-10-86
32. सा. का. नि. सं. 353 दिनांक 22-4-87
33. सा. का. नि. सं. 365 दिनांक 22-4-87
34. सा. का. नि. सं. 430 दिनांक 20-5-87
35. सा. का. नि. सं. 598 दिनांक 31-7-87
36. सा. का. नि. सं. 597 दिनांक 31-7-87
37. सा. का. नि. सं. 921 दिनांक 30-11-87
38. सा. का. नि. सं. 922 दिनांक 3-12-87
39. सा. का. नि. सं. 264 दिनांक 5-4-88
40. सा. का. नि. सं. 479 दिनांक 18-6-88
41. सा. का. नि. सं. 515 दिनांक 25-6-88
42. सा. का. नि. सं. 597 दिनांक 15-7-88
43. सा. का. नि. सं. 596 दिनांक 15-7-88
44. सा. का. नि. सं. 598 दिनांक 15-7-88
45. सा. का. नि. सं. 800 दिनांक 22-9-88
46. सा. का. नि. सं. 961 दिनांक 17-12-88
47. सा. का. नि. सं. 32 दिनांक 6-12-88
48. सा. का. नि. सं. 959 दिनांक 17-12-88
49. सा. का. नि. सं. 960 दिनांक 12-12-80
50. सा. का. नि. सं. 318 दिनांक 6-5-89
51. सा. का. नि. सं. 501 दिनांक 22-7-89
52. सा. का. नि. सं. 502 दिनांक 22-7-89
53. सा. का. नि. सं. 649 दिनांक 22-8-89

54. सा. का. नि. सं. 650 दिनांक 22-8-89
55. सा. का. नि. सं. 651 दिनांक 22-8-89
56. सा. का. नि. सं. 844 दिनांक 25-10-89
57. सा. का. नि. सं. 102 दिनांक 5-2-90
58. सा. का. नि. सं. 241 दिनांक 29-3-90
59. सा. का. नि. सं. 302 दिनांक 16-4-90
60. सा. का. नि. सं. 303 दिनांक 10-5-90
61. सा. का. नि. सं. 514 दिनांक 30-7-90
62. सा. का. नि. सं. 515 दिनांक 7-8-90
63. सा. का. नि. सं. 3052 दिनांक 7-10-90
64. सा. का. नि. सं. 782 दिनांक 13-12-90
65. सा. का. नि. सं. 783 दिनांक 13-12-90
66. सा. का. नि. सं. 784 दिनांक 13-12-90
67. सा. का. नि. सं. 314 दिनांक 30-4-91
68. सा. का. नि. सं. 2146 दिनांक 26-7-91
69. सा. का. नि. सं. 123 दिनांक 30-12-92
70. सा. का. नि. सं. 124 से 131 दिनांक 30-12-92
71. सा. का. नि. सं. 132 से 134 दिनांक 30-12-92
72. सा. का. नि. सं. 135 से 137 दिनांक 30-12-92
73. सा. का. नि. सं. 138 से 141 दिनांक 30-12-92
74. (142) सा. का. नि. संख्या 292 दिनांक 27-5-93
75. (143) सा. का. नि. संख्या — दिनांक —
76. (144) सा. का. नि. संख्या — दिनांक —
77. (145) सा. का. नि. संख्या — दिनांक —
78. (146) सा. का. नि. संख्या — दिनांक —

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 23rd August, 1994

S.O. 2508.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 620-A of the Companies Act, 1956 (1 of 1956), the Central Government hereby declares the Nanganallur Permanent Fund Limited having its registered office at 15, Krishnaswamy, Naidu Street, Palavanthangal, Madras-600014 in the State of Tamil Nadu, to be a Nidhi and directs that the provisions of the said Act specified in column (1) of Schedule III annexed to the notification of the Government of India in the Ministry of Commerce and Industry (Department of Company Law Administrations) No. G.S.R. 978 dated the 28th May, 1963 shall not apply, or as the case may be, shall apply with the exceptions, modifications and adaptations specified in the corresponding entry in column (2) thereof, to the said Nidhi and makes the following amendment in the said notification, namely :—

In Schedule I to the said notification, after item 146 and the entries relating thereto, the following item and entries shall be added, namely :—

"147. Nanganallur Permanent Fund Limited, Madras".

[F. No. 37/20/90-CL. III]

DHARAM PAL, Under Secy.

Foot Note :—The Principal Notification was Noticed
Vide G. R. No. 978 dated 29th May, 1963
and subsequently amended vide :—

S.No. GSR No. Dated

- | | |
|---------|----------|
| 1. 1691 | 11-10-63 |
| 2. 853 | 04-06-64 |

भारत का राजपत्र: अक्टूबर 1, 1994/अश्विन 9, 1916

[भाग II—खंड 3(ii)]

S.No. GSR No. Dated

3. 297	12-08-65
4. 1332	30-08-65
5. 111	14-01-66
6. 1543	01-10-66
7. 607	29-04-67
8. 608	29-04-67
9. 1466	06-06-69
10. 2707	18-11-69
11. 1306	27-07-71
12. 1	21-12-73
13. 690	22-06-74
14. 275	14-02-75
15. 409	29-03-75
16. 1300	11-09-76
17. 426	08-03-78
18. 728	28-04-78
19. 1296	04-10-79
20. 1100	07-10-80
21. 1099	09-10-80
22. 164	10-02-83
23. 843	19-11-83
24. 844	19-11-83
25. 217	25-02-84
26. 231	20-02-85
27. 21	24-02-85
28. 275	03-03-86
29. 306	11-04-86
30. 70	22-06-86
31. 961	24-10-86
32. 353	22-04-87
33. 365	22-04-87
34. 430	20-05-87
35. 598	31-07-87
36. 597	31-07-87
37. 921	30-11-87
38. 922	03-12-87
39. 264	05-04-88
40. 479	18-06-88
41. 515	25-06-88
42. 597	15-07-88
43. 596	15-07-88
44. 598	15-07-88
45. 800	22-09-88
46. 961	17-12-88
47. 32	06-12-88
48. 959	17-12-88
49. 960	17-12-88
50. 318	06-05-89
51. 501	22-07-89
52. 502	22-07-89
53. 649	22-08-89
54. 650	22-08-89
55. 651	22-08-89
56. 844	25-10-89
57. 102	05-02-91

S.No. GSR N

Dated

58. 241	29-03-90
59. 302	16-04-90
60. 303	10-05-90
61. 514	30-07-90
62. 515	07-08-90
63. 3052	07-10-90
64. 782	13-12-90
65. 783	13-12-90
66. 784	13-12-90
67. 314	30-04-91
68. 2146	26-07-91
69. 123	30-12-92 (123)
70. 103	18-03-93 (124 to 131)
71. 272	12-05-93 (132 to 134)
72. 291	27-05-93 (135 to 137)
73. —	— (138 to 141)
74. 292	27-05-93 (142)
75. —	— (143)
76. —	— (144)
77. —	— (145)
78. —	— (146)

नई दिल्ली, 23 अगस्त, 1994

का. आ. 2509.—केन्द्रीय सरकार, कंपनी अधिनियम, 1956 (1956 का 1) की धारा 620क की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तुलसी कृष्णा परमानेंट फंड लिमिटेड को, जिसका रजिस्ट्रीकृत कार्यालय तमिलनाडू राज्य में 333/1 कुन्नूर हाई रोड, अयनाकरम, मद्रास-600023 में है, एवं निधि घोषित करती है और यह निदेश देती है कि आ सरकार के भूतपूर्व बाणिज्य और उद्योग मंत्रालय (कंपनी विधि प्रशासन विभाग) की अधिसूचना सं. का. नि. 978 तारीख 28 मई, 1963 को अनुसूची के स्तंभ (1) में विनिर्दिष्ट उक्त अधिनियम के उपबंध निधि को लागू नहीं होंगे या, यथास्थिति, उसके स्तंभ (1) की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अपवादों, उपांतरण अनुकूलनों सहित लागू होंगे और उक्त अधिसूचना का लिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची 1 में, मद 1 उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात्:—

“145 तुलसी कृष्णा परमानेंट फंड लिमिटेड

का. सं. 37/14, 93-सी
धर्मपाल,

टिप्पणी :—मूल अधिसूचना सा. का. नि. संख्या 978, दिनांक 28 मई, 1963 को अधिसूचित की गई थी और तदन्तर यथासंशोधित की गई :—

1. सा. का. नि. सं. 1681 दिनांक 11-10-63
2. सा. का. नि. सं. 853 दिनांक 4-6-64
3. सा. का. नि. सं. 297 दिनांक 12-2-65
4. सा. का. नि. सं. 1332 दिनांक 30-8-65
5. सा. का. नि. सं. 111 दिनांक 14-1-66
6. सा. का. नि. सं. 1543 दिनांक 1-10-66
7. सा. का. नि. सं. 607 दिनांक 29-4-67
8. सा. का. नि. सं. 608 दिनांक 29-4-67
9. सा. का. नि. सं. 1461 दिनांक 6-6-69
10. सा. का. नि. सं. 2707 दिनांक 18-11-69
11. सा. का. नि. सं. 1306 दिनांक 27-7-71
12. सा. का. नि. सं. 1 दिनांक 21-12-73
13. सा. का. नि. सं. 690 दिनांक 22-6-74
14. सा. का. नि. सं. 275 दिनांक 14-2-75
15. सा. का. नि. सं. 409 दिनांक 29-3-75
16. सा. का. नि. सं. 1300 दिनांक 11-9-76
17. सा. का. नि. सं. 426 दिनांक 8-3-78
18. सा. का. नि. सं. 728 दिनांक 28-4-78
19. सा. का. नि. सं. 1296 दिनांक 4-10-79
20. सा. का. नि. सं. 1100 दिनांक 9-10-80
21. सा. का. नि. सं. 1099 दिनांक 9-10-80
22. सा. का. नि. सं. 164 दिनांक 10-2-83
23. सा. का. नि. सं. 843 दिनांक 19-11-83
24. सा. का. नि. सं. 844 दिनांक 19-11-83
25. सा. का. नि. सं. 217 दिनांक 25-2-84
26. सा. का. नि. सं. 231 दिनांक 20-2-85
27. सा. का. नि. सं. 21 दिनांक 24-12-85
28. सा. का. नि. सं. 273 दिनांक 3-3-86
29. सा. का. नि. सं. 306 दिनांक 11-4-86
30. सा. का. नि. सं. 70 दिनांक 22-6-86
31. सा. का. नि. सं. 961 दिनांक 24-10-86
32. सा. का. नि. सं. 353 दिनांक 22-4-87
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38. सा. का. नि. सं. 922 दिनांक 3-12-87
39. सा. का. नि. सं. 264 दिनांक 5-4-88
40. सा. का. नि. सं. 479 दिनांक 18-6-88
41. सा. का. नि. सं. 515 दिनांक 25-6-88
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44. सा. का. नि. सं. 598 दिनांक 15-7-88
45. सा. का. नि. सं. 800 दिनांक 22-9-88

46. सा. का. नि. सं. 961 दिनांक 17-12-88
47. सा. का. नि. सं. 32 दिनांक 6-12-88
48. सा. का. नि. सं. 959 दिनांक 17-12-88
49. सा. का. नि. सं. 960 दिनांक 12-12-88
50. सा. का. नि. सं. 318 दिनांक 6-5-89
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54. सा. का. नि. सं. 650 दिनांक 22-8-89
55. सा. का. नि. सं. 651 दिनांक 22-8-89
56. सा. का. नि. सं. 844 दिनांक 25-10-89
57. सा. का. नि. सं. 102 दिनांक 5-2-90
58. सा. का. नि. सं. 241 दिनांक 29-3-90
59. सा. का. नि. सं. 302 दिनांक 16-4-90
60. सा. का. नि. सं. 303 दिनांक 10-5-90
61. सा. का. नि. सं. 514 दिनांक 30-7-90
62. सा. का. नि. सं. 515 दिनांक 7-8-90
63. सा. का. नि. सं. 3052 दिनांक 7-10-90
64. सा. का. नि. सं. 782 दिनांक 13-12-90
65. सा. का. नि. सं. 783 दिनांक 13-12-90
66. सा. का. नि. सं. 784 दिनांक 13-12-90
67. सा. का. नि. सं. 314 दिनांक 30-4-91
68. सा. का. नि. सं. 2146 दिनांक 26-7-91
69. सा. का. नि. सं. 123 दिनांक 30-12-92
70. सा. का. नि. सं. 124 से 131 दिनांक 30-12-92
71. सा. का. नि. सं. 132 से 134 दिनांक 30-12-92
72. सा. का. नि. सं. 135 से 137 दिनांक 30-12-92
73. सा. का. नि. सं. 138 से 141 दिनांक 30-12-92
74. (142) सा. का. नि. सं. 292 दिनांक 27-5-93
75. (143) सा. का. नि. संख्या — दिनांक —
76. (144) सा. का. नि. संख्या — दिनांक —

New Delhi, the 23rd August, 1994

S.O. 2509.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 620-A of the Companies Act, 1956 (1 of 1956), the Central Government hereby declares the Thulasi Krishna Permanent Fund Limited having its registered office at 333/1, Konnur High Road, Ayanavaram, Madras-600023, in the State of Tamil Nadu, to be a Nidhi, and directs that the provisions of the said Act specified in column (1) of Schedule III annexed to the notification of the Government of India in the Ministry of Commerce and Industry (Development of Company Law Administrations) No. G.S.R. 978 dated the 28th May, 1963 shall not apply, or as the case may be, shall apply with the exceptions, modifications and adaptations specified in the corresponding entry in column (2) thereof, to the said Nidhi and makes the following amendment in the said notification, namely :—

In the Schedule I to the said notification, after item 144 and the entries relating thereto, the following item and entries shall be added, namely :—

“145. Thulasi Krishna Permanent Fund Limited, Madras”.

[F. No. 37/14/93-CL. III]

DHARAM PAL. Under Secy.

Foot Note :—The Principal Notification was noticed vide G.S.R. No. 978 dated 29th May, 1963 and subsequently amended vide :

S.No.	GSR No.	Dated
1.	1691	11-10-63
2.	853	04-06-64
3.	297	12-08-65
4.	1332	30-08-65
5.	111	14-01-66
6.	1543	01-10-66
7.	607	29-04-67
8.	608	29-04-67
9.	1466	06-06-69
10.	2707	18-11-69
11.	1306	27-07-71
12.	1	21-12-73
13.	690	22-06-74
14.	275	14-02-75
15.	409	29-03-75
16.	1300	11-09-76
17.	426	08-03-78
18.	728	28-04-78
19.	1296	04-10-79
20.	1100	09-10-80
21.	1099	09-10-86
22.	164	10-02-83
23.	843	19-11-83
24.	844	19-11-83
25.	217	25-02-84
26.	231	20-02-85
27.	21	24-02-85
28.	275	03-03-86
29.	306	11-04-86
30.	70	22-06-86
31.	961	24-10-86
32.	353	22-04-87
33.	365	22-04-87
34.	430	20-05-87
35.	598	31-07-87
36.	597	31-07-87
37.	921	30-11-87
38.	922	03-12-87
39.	264	05-04-88
40.	479	18-06-88
41.	515	25-06-88
42.	597	15-07-88
43.	596	15-07-88
44.	598	15-07-88
45.	800	22-09-88
46.	961	17-12-88
47.	32	06-12-88
48.	959	17-12-88
49.	960	17-12-88
50.	318	06-05-89
51.	501	22-07-89
52.	502	22-07-89

S.No.	GSR No.	Dated
53.	649	22-08-89
54.	650	22-08-89
55.	651	22-08-89
56.	844	25-10-89
57.	102	05-02-90
58.	241	29-03-90
59.	302	16-04-90
60.	303	10-05-90
61.	514	30-07-90
62.	515	07-08-90
63.	3052	07-10-90
64.	782	13-12-90
65.	783	13-12-90
66.	784	13-12-90
67.	314	30-04-91
68.	2146	26-07-91
69.	123	30-12-92 (123)
70.	103	18-03-93 (124 to 131)
71.	272	12-05-93 (132 to 134)
72.	291	27-05-93 (135 to 137)
73.		(138 to 141)
74.	292	27-05-93 (142)
75.		(143)
76.		(144)

गृह मंत्रालय

(आसूचना व्यूरो)

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2510.—सहायक आसूचना व्यूरो, तिरुवनंत-पुरम् के 80 प्रतिशत से अधिक अधिकारी/कर्मचारियों ने हिन्दी में प्रवीणता/कार्यसाधक ज्ञान प्राप्त कर लिया है। अतः, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप नियम (4) के अनुसरण में इस कार्यालय को, एतद्द्वारा, हिन्दी में कार्य करने के लिए अधिसूचित किया जाता है।

[सं. 5/1/94-हिन्दी-2238]

सुदर्शन गोम्बर, हिन्दी अधिकारी

MINISTRY OF HOME AFFAIRS

(Intelligence Bureau)

New Delhi, the 13th September, 1994

S.O. 2510.—More than 80% officers/employees of SIB Trivandrum have since acquired proficiency/working knowledge in Hindi. The said office is, therefore, hereby notified to work in Hindi in pursuance of Rule 10(4) of the official language (Use for official purposes of the Union) Rules, 1976.

[No. 5/1/94-Hindi-2238]

SUDARSHAN GOMBER, Hindi Officer

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 5 सितम्बर, 1994

का.आ. 2511.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा "बलसार जिला क्रिकेट संघ, गुजरात" को 1994-95 से 1996-97 तक कर निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त खण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खण्ड (23) द्वारा यथा-संशोधित धारा 11 की उपधारा (2) तथा (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि [जबकि जवाहिरान, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खण्ड (23) के तीसरे परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा रख-रखाव में स्वीच्छिक अंशदान से भिन्न] का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) कर-निर्धारिती अपने सदस्यों का किसी भी तरीके से अपनी आय के किसी भाग का संचितरण अपने से संबद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा; और

(iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हों जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9599/फा. सं. 196/8/94-आयकर नि.-I]

साधना पवाडिया, अवसर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 5th September, 1994

S.O. 2511.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Bulsar District

Cricket Association, Gujarat" for the purpose of the said clause for assessment years 1994-95 to 1996-97 subject to the following conditions, namely :—

(i) that assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-sections (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds [other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified, by the Board under the third provision to the aforesaid clause (23)] for any period during the previous year(s) relevant to the assessment year(s) mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it; and

(iv) this notification will not apply in relation to any income, being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9599/F. No. 196/8/94-ITA-I]

SADHNA PAVADIA, Under Secy.

नई दिल्ली, 5 सितम्बर, 1994

का.आ. 2512.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा "कनटिक बैडमिंटन संघ, बंगलौर" को वर्ष 1994-95 से 1996-97 तक के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त खंड के प्रयोजनार्थ अधिसूचित करती है अर्थात् :—

(i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खंड (23) द्वारा यथा संशोधित धारा 11 की उपधारा (2) तथा (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि [जबकि जवाहिरान, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खंड (23) के तीसरे परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा रख-रखाव में स्वीच्छिक अंशदान से भिन्न] का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) कर-निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संवितरण अपने से संबद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा; और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हों, जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9601/फा.सं. 196/14/94-आयकर नि. I]

साधना पवाडिया, अवर सचिव

New Delhi, the 5th September, 1994

S.O. 2512.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies the "Karnataka Badminton Association, Bangalore" for the purpose of the said clause for assessment years 1994-95 to 1996-97 subject to the following conditions, namely :—

- (i) that assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-sections (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds [other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23)] for any period during the previous year(s) relevant to the assessment year(s) mentioned above otherwise than in any one or more of the forms or modes specified in sub-section(s) of Section 11 ;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it ; and
- (iv) this notification will not apply in relation to any income, being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9601/F. No. 196/14/94-ITA-I]
SADHNA PAVADIA, Under Secy.

नई दिल्ली, 5 सितम्बर, 1994

का.आ. 2513.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा अखिल भारतीय टेनिस संघ, नई दिल्ली को 1993-94 से 1995-96 तक के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहने हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका

संचालन इस प्रकार के संवयन हेतु उक्त खंड (23) द्वारा यथा-संशोधित धारा 11 के उप-धारा (2) तथा (3) के उपबंधों के अनुरूप पूर्णतया तथा अन्वयतया उन उद्देश्यों की लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

- (ii) कर-निर्धारिती उपर-उल्लिखित कर निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि [जेवर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खंड (23) के तीसरे परन्तुक के अधीन बॉर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न] का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) कर-निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संवितरण अपने से संबद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा, और

- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हों जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9600/फा.सं. 196/12/94-आयकर नि.-I]

साधना पवाडिया, अवर सचिव

New Delhi, the 5th September, 1994

S.O. 2513.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "All India Tennis Association, New Delhi" for the purpose of the said clause for assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-sections (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds [other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified, by the Board under the third provision to the aforesaid clause (23)] for any period during the previous year(s) relevant to the assessment year(s) mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it ; and

(iv) this notification will not apply in relation to any income, being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9600/F. No. 196/12/94-ITA-I]

SADHNA PAVADIA, Under Secy.

नई दिल्ली, 7 सितम्बर, 1994

(आयकर)

का.आ. 2514 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “दि इंस्टिट्यूट आफ फ्रांसिस्कन मिशनरीज आफ मेरी सोसाइटी नं. 10, कोयम्बतूर” को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचना करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9605/फा.सं. 197/37/94-आयकर नि.-1]

साधना पवाडिया, अव्वर सचिव

New Delhi, the 7th September, 1994

(INCOME-TAX)

S.O. 2514.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “the Institute of Franciscan Missionaries of Mary Society, No. 10, Coimbatore” for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the terms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9605/F. No. 197/37/94-ITA-I]

SADHNA PAVADIA, Under Secy.

नई दिल्ली, 7 सितम्बर, 1994

(आयकर)

का.आ. 2515 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “हिन्दू सत्कार समिति, कलकत्ता” को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिसके लिए इसकी स्थापना की गई है।
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9604/फा.सं. 197/6/94-आयकर नि.-I]

साधना पवाडिया, अव्वर सचिव

New Delhi, the 7th September, 1994

(INCOME-TAX)

S.O. 2515.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government notifies “Hindu Satkar Samity, Calcutta” for the purpose of the said sub-clause for the assessment years 1993-94 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business in incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9604/F. No. 197/6/94-ITA-I]

SADHNA PAVADIA, Under Secy.

नई दिल्ली, 8 सितम्बर, 1994

(आयकर)

का.आ. 2516—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 खण्ड (23-ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "कांचीपुरम गांधी रोड क्लाय मर्चेंट्स आल धर्म परिपालन महामाई संगम, कांचीपुरम-I" को कर-निर्धारण वर्ष 1990-91 से 1991-92 तक के लिए निम्न-लिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिन के लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो की कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[अधिसूचना सं./9607, फा.सं. 197/15/94-आयकर नि.]

साधना पवाडिया, अवर सचिव

New Delhi, the 8th September, 1994
(INCOME-TAX)

S.O. 2516.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Kanchipuram Gandhi Road Cloth Merchants Chatra Dharma Paripalana Mahamai Sangam, Kanchipuram-I" for the purpose of the said sub-clause for the assessment years 1991-92 to 1991-92 subject to the following conditions namely :

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business in incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9607/F. No. 197/15/94-ITA-I]

SADHNA PAVADIA, Under Secy.

नई दिल्ली, 8 सितम्बर, 1994

(आयकर)

का. आ. 2517 — आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "कांचीपुरम गांधी रोड क्लाय मर्चेंट्स आल धर्म परिपालन महामाई संगम, कांचीपुरम-I" को कर-निर्धारण वर्ष 1988-89 से 1989-90 तक के लिए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है।

[अधिसूचना सं. 9606/फा. सं. 197/15/94-आयकर नि.]

साधना पवाडिया, अवर सचिव

New Delhi, the 8th September, 1994

(INCOME-TAX)

S.O. 2517.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Kanchipuram Gandhi Road Cloth Merchants Chatra Dharma Paripalana Mahamai Sangam, Kanchipuram-I" for the purpose of the said sub-clause for the assessment years 1988-89 to 1989-90.

[Notification No. 9606/F. No. 197/15/94-ITA-I]

SADHNA PAVADIA, Under Secy.

(प्राधिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 12 सितम्बर, 1994

का. आ. 2518.—निक्षेप बीमा एवं प्रत्यक्ष गारंटी निगम अधिनियम 1961 (1961 का 47) की धारा 6 की उपधारा (2) के साथ पठित धारा 6 की उपधारा (1) के खंड (घ) के उपबंधों के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री. ई. चन्द्रशेखरन नायर, ए-3, पंडितस कालोनी, कोडियार, त्रिवेन्द्रम-695003 को सितम्बर 1994 से तीन वर्ष की अवधि के लिए निक्षेप बीमा एवं प्रत्यक्ष गारंटी निगम के निदेशक के रूप में नामित करती है।

[एफ सं. 7/2/91-बी. ओ. 1(1)]

के. के. मंगल, अवर सचिव

(Department of Economic Affairs)

नई दिल्ली, 12 सितम्बर, 1994

(Banking Division)

New Delhi, the 12th September, 1994

S.O. 2518.—In pursuance of the provisions of clause (d) of sub-section (1) of section 6 read with sub-section (2) of section 6 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri E. Chandrasekharan Nair, A-3, Pandits Colony, Kowdiar P.O., Trivandrum-695003 as a director of the Deposit Insurance and Credit Guarantee Corporation for a period of three years with effect from 12th September, 1994.

[F. No. 7/2/91-BO.I(ii)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 12 सितम्बर, 1994

का.आ. 2519.—निक्षेप बीमा एवं प्रत्यय गारंटी नियम अधिनियम 1961 (1961 का 47) की धारा 6 की उप-धारा (2) के साथ पठित धारा 6 की उपधारा (1) के खंड (क) के उपबंधों के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करके पश्चात्, एतद्-द्वारा, श्री पी. एन. जोशी, अध्यक्ष, यूनाइटेड वेस्टर्न बैंक लि., सतारा, महाराष्ट्र को 1 नवंबर, 1993 से 31 अक्टूबर, 1995 तक प्रभावी, निम्न तारीख की यूनाइटेड वेस्टर्न बैंक लि. के अध्यक्ष पद पर उनका कार्य-काल पूरा हो जाएगा, निक्षेप बीमा एवं प्रत्यय गारंटी नियम के निदेशक के रूप में नामित करती है।

[एफ. सं. 7/2/91-बी.ओ.-1(ii)]

क. के. मंगल, अवर सचिव

New Delhi, the 12th September, 1994

S.O. 2519.—In pursuance of the provisions of clause (c) of sub-section (1) of section 6 read with sub-section (2) of section 6 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri P.N. Joshi, Chairman, United Western Bank Ltd., Satara, Maharashtra, as a director of the Deposit Insurance and Credit Guarantee Corporation with effect from 1st November, 1993 and upto 31st October, 1995 i.e. the date on which his present term with United Western Bank Ltd. as Chairman expires.

[F. No. 9/2/91-BO.I(ii)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 12 सितम्बर, 1994

का.आ. 2520.—भारतीय औद्योगिक पुनर्निर्माण बैंक अधिनियम, 1984 (1984 का 62) की धारा 10 की उपधारा (1) के खंड (ब) के उपखंड (1) के अनुसरण में केन्द्रीय सरकार, एतद्द्वारा डा. राकेश मोहन, आर्थिक सलाहकार, औद्योगिक विकास विभाग, उद्योग मंत्रालय, नई दिल्ली को श्री ए. पी. सिंह के स्थान पर भारतीय औद्योगिक पुनर्निर्माण बैंक के निदेशक के रूप में नामित करती है।

[सं. एफ. 7/5/91-बी.ओ. 1]

क. के. मंगल, अवर सचिव

New Delhi, the 12th September, 1994

S.O. 2520.—In pursuance of sub-clause (i) of clause (d) of sub-section (1) of section 10 of the Industrial Reconstruction Bank of India Act, 1984 (62 of 1984), the Central Government hereby nominates Dr. Rakesh Mohan, Economic Adviser, Department of Industrial Development, Ministry of Industry, New Delhi as a Director of the Industrial Reconstruction Bank of India vice Shri A. P. Singh.

[F. No. 7/5/94-B.O.I]

K. K. MANGAL, Under Secy.

का.आ. 2521.—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्द्वारा, घोषणा करती है कि, उक्त अधिनियम की धारा 13 के प्रावधान, इस अधिसूचना की तारीख से 10 वर्षों की अवधि तक के लिए ओरिएण्टल बैंक आफ कामर्स पर लागू नहीं होंगे।

[सं. 12/6/94-बी.ओ. ए]

बी. एल. सचदेव, अवर सचिव

New Delhi, the 12th September, 1994

S.O. 2521.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 13 of the said Act shall not apply for a period of ten years from the date of this notification to the Oriental Bank of Commerce.

[No. 12/6/94-BOA]

B. L. SACHDEVA, Under Secy

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2522.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्द्वारा घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबंध कैथोलिक सिरियन बैंक लि. पर उनके द्वारा ग्राम ओट्टापलम, करीकाडवू डेसम, केरल राज्य में 11 सेंट्स पेडु की फील्ड की धारित संपत्ति के संबंध में इस अधिसूचना के प्रकाशित होने की तारीख से दो वर्षों की अवधि के लिए लागू नहीं होंगे।

[सं. 15/14/87-बी.ओ. ए]

बी. एल. सचदेव, अवर सचिव

New Delhi, the 13th September, 1994

S.O. 2522.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply to the Catholic Syrian Bank Ltd., for a period of two years from the date of notification in respect of the landed property of 11 Cents paddy field at Ottapalam Village, Kareekadavu Desom, Kerala State, held by it.

[No. 15/14/87-BOA]

B. L. SACHDEVA, Under Secy.

समाहृतलिय केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क: इन्दौर

अधिसूचना संख्या 204/1994

इन्दौर, 2 सितम्बर, 1994

का.आ. 2523.—इन्दौर समाहृतलिय के सी. वी. डी. चौधरी, अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह "ख" नियर्तन प्राप्ति प्राप्त करने पर दिनांक 31-7-94 (अपराह्न) से सामंतीय सेवा से निवृत्त हुए।

[सं. सं. 11(3) 9-गोप/93]

गोविन्दन शे. तर्पा, समाहर्क

CENTRAL EXCISE COLLECTORATE, INDORE (MP)
NOTIFICATION No. 204/1994

Indore, the 2nd September, 1994

S.O. 2523.—Shri B. D. Choudhary, Superintendent Central Excise Group 'B' of Indore Collectorate having attained the age of superannuation retired from Government service on 31-7-94 (AN).

[C. No. 11(3)9-Con/93]

GOVINDAN S. TAMPI, Collector

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 7 सितम्बर, 1994

का.भा. 2524.—केन्द्रीय सरकार राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय (शिक्षा विभाग) के निम्नलिखित स्वायत्त संगठन को जिसमें 80% से अधिक कर्मचारियों ने हिन्दी का कार्यमाध्यम ज्ञान प्राप्त कर लिया है, अधिमूर्तित करते हैं।

नेता जलनेहरू रीजनल इंजीनियरिंग कॉलेज, इलाहाबाद 211004

[सं. 11011-2/92-रा.भा.ए.]

निशेन्दु ओजा निदेशक, राजभाषा

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Deptt. of Education)

New Delhi, the 7th September, 1994

S.O. 2524.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (use for Official purpose of the Union) Rules 1976, the Central Government hereby notifies the following Autonomous organisation of the Ministry of Human Resource Development (Deptt. of Education) more than 80 per cent staff of which has acquired working knowledge of Hindi :—

Motilal Nehru Regional Engineering College,
Allahabad-211004.

[No. 11011-2/92-O.L.U.]
NISHENDU OJHA, Director (O.L.)

कोयला मंत्रालय

नई दिल्ली, 1 सितम्बर, 1994

का.भा. 2525.—केन्द्रीय सरकार, कोयला खान भविष्य निधि स्कीम, 1948 के पैरा 4 के तहत पठित कोयला खान भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1948 (1948 का 46) की धारा 3क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत के राजपत्र, तारीख 21 सितम्बर, 1991 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का.भा. 2351, तारीख 23 अगस्त, 1991 की उन शक्तियों के विषय अधिकांश करते हुए, जिन्हें ऐसे अधिश्रमण से पढ़ने किया गया है या करने का लोप किया गया है, निम्नलिखित व्यक्तियों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से ही ग्यारी बॉर्ड का सदस्य नियुक्त करती है, अधिष्ठाता:—

1. सचिव, भारत सरकार
कोयला मंत्रालय, नई दिल्ली
2. कोयला खान भविष्य निधि आयुक्त, सदस्य, पदेन
धनबाद।
सदस्य :
3. संयुक्त सचिव, भारत सरकार
(जो कोयला खान भविष्य निधि का कार्य देख रहा हो)
कोयला मंत्रालय, नई दिल्ली।
4. निदेशक/उपसचिव,
(जो कोयला खान भविष्य निधि का कार्य देख रहा हो),
कोयला मंत्रालय, नई दिल्ली।
5. केन्द्रीय भविष्य निधि आयुक्त
नई दिल्ली

6. श्रम आयुक्त,
बिहार सरकार, पटना
7. संयुक्त सचिव
श्रम विभाग,
पश्चिमी बंगाल सरकार
कलकत्ता।
8. श्रम आयुक्त,
मध्य प्रदेश सरकार,
भोपाल।
9. श्रम आयुक्त,
आंध्र प्रदेश सरकार
हैदराबाद।
10. श्रम आयुक्त,
महाराष्ट्र सरकार,
निबर्टी मिनेमा बिल्डिंग,
नागपुर।
11. सचिव,
श्रम और रोजगार विभाग,
उड़ीसा सरकार,
भुवनेश्वर।
12. निदेशक (कार्मिक और औद्योगिक संबंध),
कोल इंडिया लिमिटेड,
10, नेताजी सुभाष रोड,
कलकत्ता-700 001
13. निदेशक (कार्मिक)
मिगरनी कोलियरीज कंपनी लिमिटेड,
कोटागुडम, जिला-खम्माम,
आंध्र प्रदेश-507 101.
14. निदेशक (कार्मिक),
भारत कोलिंग कोल लिमिटेड
कोयला भवन, कोयला नगर,
धनबाद।
15. निदेशक (कार्मिक या महाप्रबंधक (कार्मिक))
महानदी कोलकोल्ड्स लिमिटेड
एम.ए.सी.एल. कॉम्प्लैक्स,
आनंद विहार, संबलपुर।
16. निदेशक (कार्मिक)
सेंट्रल कोलकोल्ड्स लिमिटेड,
दरबंगा हाउस, रांची।
17. निदेशक (कार्मिक)
ईस्टर्न कोल कोल्ड्स लिमिटेड,
सैक्रेटोरिया, डाक घर विप्ररगढ़,
जिला-जदवान।
18. श्री एम. के. राय,
संयुक्त महा सचिव,
राष्ट्रीय कोलियरी मजदूर संघ,
राजेंद्र पथ, धनबाद (बिहार)
19. श्री आर. के. धिव,
महासचिव
भारतीय राष्ट्रीय खान कर्मकार
फेडरेशन,
14, भुवर्मा लेआउट, नागपुर-10

राज्य सरकार के प्रतिनिधि

नियोजकों के प्रतिनिधि

कर्मचारियों के प्रतिनिधि।

20. श्री मोहन शा, सचिव, संयुक्त खदान मजदूर संघ, डाक घर उमरेर बोनियरी, जिला-नागपुर।	कर्मचारियों के प्रतिनिधि	6. Commissioner of Labour Government of Bihar, Patna.	Representatives of State Government.
21. श्री बी. के. राय, महासचिव, भारतीय कोयला खदान मजदूर संघ, कार्यालय विश्वकर्मा भवन, परामिय, मेन रोड, डाकघर-परामिया, छिबवाडी (मध्य प्रदेश)-480 441		7. Joint Secretary, Labour Department, Government of West Bengal, Calcutta.	
22. श्री आर. के. राय, अध्यक्ष, कोल माइन्स आफिसर्स एसोसिएशन ऑफ इंडिया, 10 नेता जी सुभाष रोड, कलकत्ता 700 001		8. Commissioner of Labour, Government of Madhya Pradesh, Bhopal.	
23. श्री आर. के. मरवाह, अपर महाप्रबंधक, सेंट्रल कोलफील्ड्स लिमिटेड, अरगवा एरिया, डाकघर अरगवा, हजारी बाग (बिहार)		9. Commissioner of Labour, Government of Andhra Pradesh, Hyderabad.	
		10. Commissioner of Labour, Government of Maharashtra, Liberty Cinema Building, Nagpur.	
		11. Secretary, Labour and Employment Department, Government of Orissa, Bhubaneswar.	

[फा. सं. 20/16/94-एएसआ.]
पी. के. जी. नायर, अपर सचिव

MINISTRY OF COAL

New Delhi, the 1st September, 1994

S.O. 2525:—In exercise of the powers conferred by sub-section (1) of section 3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), read with paragraph 4 of the Coal Mines Provident Fund Scheme, 1948, and in supersession of the notification of the Government of India in the Ministry of Coal, number S.O. 2351 published in the Gazette of India, dated the 21st September, 1991, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the following person to the Board of Trustees on and from the date of publication of this notification in the Official Gazette, namely:—

1. Secretary to the Government of India
Ministry of Coal,
New Delhi. Chairman.

2. Coal Mines Provident Fund
Commissioner,
Dhanbad. Member, ex-officio

MEMBERS :

3. Joint Secretary to the Government of India,
(Looking after Coal Mines Provident Fund Work).
Ministry of Coal,
New Delhi.
 4. Director/Deputy Secretary
(Looking after Coal Mines Provident Fund Work).,
Ministry of Coal,
New Delhi.
Central Provident Fund
Commissioner, New Delhi.
- Representatives of
the Government of
India.

12. Director,
(Personnel & Industrial Relations).
Coal India Ltd.,
10-Netaji Subhash Road.
Calcutta-700 001.
13. Director
(Personnel),
Singareni Collieries Company Ltd.,
Kothagudem,
Khammam District,
Andhra Pradesh-507 101.
14. Director
(Personnel),
Bharat Coking Coal Ltd.,
Koyla Bhawan,
Koyla Nagar,
Dhanbad.
15. Director (Personnel) or
General Manager (Personnel),
Mahanadi Coalfields Ltd.,
MCL Complex,
Anand Vihar,
Sambalpur.
16. Director (Personnel),
Central Coalfields Limited,
Darbhanga House,
Ranchi.
17. Director (Personnel)
Eastern Coalfields Limited
Sanctoria
P.O. Disergarb,
District-Burdwan.

Representatives
of Employers.

18. Shri S.K. Roy,
Joint General Secretary,
Rashtriya Colliery Mazdoor
Sangh, Rajendra Path,
Dhanbad (Bihar).
 19. Shri R.K. Chib,
Assistant Secretary,
Indian National Mine Workers
Federation,
14, New Burma Layout
Nagpur-10.
- Representatives
of Employers.

20. Shri Mohan Jha, Secretary, Samyukta Khadan, Mazdoor Sangh P.D. Umrer, Colliery, District-Nagpur.		22. Shri R.K. Roy, President, Coal Mines Officers' Association of India, 10-Netaji Subhash Road, Calcutta-700001.	
21. Shri B.K. Rai, General Secretary, Bhartiya Koyla Khadan Mazdoor Sangh Office, Vishwakarma Bhawan, Parasia Main Road, Post-Parasia, Chhindwara (M.P.)-480441	Representative of Employees	23. Shri R.K. Marwah Additional General Manager, Central Coalfields Limited, Argada Area, P.O. Argada, Hazaribagh (Bihar).	Representative of Employees

[F. No. 20/16/94-ASO]

P.K.G. NAIR, Under Secy.

नई दिल्ली, 1 सितम्बर, 1994

का. आ. 2526.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपावद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. 1-1994 तारीख 15 जनवरी, 1994 का निरीक्षण ईस्टर्न कोलफील्ड्स लिमिटेड मुख्यालय सेंटोरिया, डाकघर विसेरगढ़, जिला बर्दमान (पश्चिम बंगाल) 713333 के कार्यालय में या कनेक्टर, बर्दमान, जिला-बर्दमान (पश्चिम बंगाल) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता 700001 के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निदिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भारमाधक अधिकारी/विभागाध्यक्ष (राजस्व), ईस्टर्न कोलफील्ड्स लिमिटेड, सेंटोरिया, डाकघर विसेरगढ़, जिला बर्दमान (पश्चिम बंगाल) को भर्जेंगे।

अनुसूची

सतग्राम क्षेत्र की सतग्राम परियोजना

(रेखांक संख्यांक 1-1994)

(पूर्वेक्षण करने के लिए अधिसूचित भूमि दर्शाते हुए)

क्रम संख्यांक	मौजा (ग्राम)	अधिकारिता सूची संख्यांक	पुलिस थाना	जिला	क्षेत्र हेक्टेयर में टिप्पणियां
1. जोबा		26	जमुरिया	बर्दमान	136.00 संपूर्ण
			कुल क्षेत्र	136.00 हेक्टेयर (लगभग)	
				या	335.92 एकड़ (लगभग)

सीमा वर्णन

क—ख : रेखा बिन्दु "क" से आरंभ होती है जो ग्राम (मौजा) कुदालिया अधिकारिता सूची सं. 25 और ग्राम (मौजा) खासेखुला अधिकारिता सूची सं. 27 की सम्मिलित सीमा की जंक्शन बिन्दु है और बिन्दु "ख" पर मिलती है। यह रेखा ग्राम (मौजा), जोबा, अधिकारिता सं. 36 के उत्तर में है।

ख—ग : रेखा बिन्दु "ख" से आरंभ होती है जो कुदालिया ग्राम (मौजा), अधिकारिता सूची सं. 25 और ग्राम (मौजा), बर्नाली, अधिकारिता सूची सं. 31 की जंक्शन बिन्दु है। यह रेखा ग्राम (मौजा) जोबा सं. 26 के पूर्व में है।

ग—घ: रेखा बिन्दु “ग” से आरंभ होती है जो ग्राम (मौजा बंनली, अधिकांश सूची सं. 31 और ग्राम (मौजा), बोगरा, अधिकांश सूची सं. 30 की जंक्शन बिन्दु है और बिन्दु “घ” पर मिलती है। यह रेखा ग्राम (मौजा) जोबा, अधिकांश सूची सं. 26 के पश्चिम में है।

घ—क: रेखा बिन्दु “घ” से आरंभ होती है जो ग्राम (मौजा), बोगरा, अधिकांश सूची सं. 30 और ग्राम (मौजा) खासेखुला सं. 25 की जंक्शन बिन्दु है और बिन्दु “क” पर मिलती है। यह रेखा ग्राम (मौजा) जोबा सं. 26 के उत्तर पश्चिम में है।

[सं. 43015/3/94 एल एस डक्यू]

नरेन्द्र भगत, निदेशक

New Delhi, the 1st September, 1994

S.O. 2526.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act.), the Central Government hereby gives notice of its intention to prospect for Coal therein.

The plan bearing No. 1-1994, dated the 15th January, 1994 of the area covered by this notification may be inspected in the office of the Eastern Coalfields Limited, Head Quarter, Sanctoria, Post Office Disergarh District Burdwan (West Bengal)-713333 or in the office of the Collector, Burdwan, District Burdwan (West Bengal) or in the office of the Coal Controller, 1, Council House Street, Calcutta-700001.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer in Charge/Head of the Department (Revenue Eastern Coalfields Limited, Sanctoria, Post Office Disergarh, District Burdwan (West Bengal) within ninety days from the date of the publication of this notification in the Official Gazette.

SCHEDULE

SATGRAM PROJECT OF SATGRAM AREA

(Plan No. 1-1994)

(Showing lands notified for prospecting)

Sl. No.	Mouza (Village)	Jurisdiction list number	Police station	District	Area in hectare	Remarks
1	Joba	26	Jamuria	Burdwan	136.00	Full

Total area : 136.00 hectares (approximately)

or

335.92 acres (approximately)

Boundary description :

- A—B The line starts from point 'A' the junction post of common boundary of Villages (Mouzas) Kundalia, Jurisdiction List No. 25 and Village (Mouza) Khoskhula, Jurisdiction List No. 27 and meets at point 'B'. The line is in the north side of village (Mouza) Joba, Jurisdiction No. 26.
- B—C The line starts from point 'B' the junction point of Kundalia Village (Mouza), Jurisdiction List No. 25 and Village (Mouza) Banali, Jurisdiction List No. 31. This line is on the eastern side of Village (Mouza) Joba No. 26.
- C—D The line starts from point 'C' the junction point of Village (Mouza) Banali, Jurisdiction List No. 31 and Village (Mouza) Bogra, Jurisdiction List No. 30 and meets at point 'D'. This line is on the western side of the Village (Mouza) Joba, Jurisdiction List No. 26.
- D—A This line starts from point 'D' the junction point of Village (Mouza) Bogra, Jurisdiction List No. 3 and Village (Mouza) Khoskhula No. 25 and meets at point 'A'. This line is on the north west side of the Village (Mouza) Joba No. 26.

[No. 43015/3/94-LSW]

N. BHAGAT, Director

नई दिल्ली, 1 सितम्बर, 1994

का. आ. 2527.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अधिसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (प्रजन और विकास) अधिनियम, 1957 (1957 का 20) की जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र की रेखांक सं. सी-1 (ई) 111/जी आर/551-694, तारीख 1 जून, 1994 का निरीक्षण वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल स्टेट, सिविल लाईन्स, नागपुर -440001 (महाराष्ट्र) के कार्यालय में या कन्वेक्टर, छिदवाड़ा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी तर्कों, चार्जों और अन्य दस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर, भारत साधक सचिवारी/विभागाध्यक्ष (राजस्व) वेस्टर्न कोलफील्ड्स लिमिटेड, कोल स्टेट, सिविल लाईन्स, नागपुर --440001 (महाराष्ट्र) को भेजेंगे।

अधिसूची

मंडला दक्षिण खंड

पंच क्षेत्र

जिला छिदवाड़ा (मध्य प्रदेश)

रेखांक सं. सी -1 (ई) iii/जी आर/551-694 तारीख 1-6-1994

क्रम सं.	मौजा/ग्राम का नाम	पटवारीसंविन सं	बंशोबरन सं	तहसील जिला	क्षेत्र हेक्टेयर में	टिप्पणिया
1.	मंडली	73	454	परामिया छिदवाड़ा	85.00	भागा

कुल क्षेत्र : 85.00 हेक्टेयर (लगभग)

या 210.00 एकड़ (लगभग)

सीमा वर्णन :

क—ख : रेखा बिन्दु “क” से आरंभ होती है और ग्राम मंडला तथा मंडली की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और बिन्दु “ख” पर मिलती है।

ख—ग : रेखा ग्राम मंडली से होकर जाती है और बिन्दु “ग” पर मिलती है।

ग—घ : रेखा ग्राम मंडली और मिरगौरीकला की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और बिन्दु “घ” पर मिलती है।

ख—क : रेखा ग्राम मंडली और हरनमाटा की सम्मिलित ग्राम सीमा है साथ-साथ जाती है और आरंभिक बिन्दु “क” पर मिलती है।

[सं. 43015/14/94 एलएस डब्ल्यू]

नरेन्द्र भगत, निदेशक

New Delhi, 1st September, 1994.

S.O. 2527.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. C-1(E)III/GR/551-694 dated the 1st June, 1994 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) or in the office of the Collector, Chhindwara (Madhya Pradesh) or in the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) within ninety days from the date of publication of this notification.

SCHEDULE

MANDLA SOUTH BLOCK

PENCH AREA

District Chhindwara (Madhya Pradesh)

(Plan No. C-1(E)III/GR/551-694 dated the 1-6-1994).

Sl. No.	Name of Mouza/ Village	Patwari circle number	Settlement number	Tehsil	District	Area in hectares	Remarks
1.	Mandli	73	454	Parasia	Chhindwara	85.00	Part
Total area :						85.00 hectares (approximately) or 210.03 acres (approximately)	

Boundary description :

A—B	Line starts from point 'A' and passes along the common village boundary of villages Mandla and Mandli and meets at point 'B'.					
B—C	Line passes through village Mandli and meets at point 'C'.					
C—D	Line passes along the common village boundary of villages Mandli and Sirgorikalan and meets at point 'D'.					
D—A	Line passes along the common village boundary of villages Mandli and Haranbhata and meets at starting point 'A'.					

[No. 43015/14/94-LSW]
N. BHAGAT, Director,

नई दिल्ली, 1 सितम्बर, 1994

का. आ. 2528.—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) को (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त क्षेत्र में कोयले का पूर्वोक्षण करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र की रेखांक सं. सी-1(ई) III/एफआर/ 545-1293, तारीख 14 दिसम्बर, 1993 का निरीक्षण वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाईन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में या कलक्टर, नागपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, फाउंटिन हाउस स्ट्रीट, कलकत्ता के कार्यालय में दिया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर, भार साधक अधिकारी/विभागाध्यक्ष (राजस्व), वेस्टर्न कोलफील्ड्स लिमिटेड, कोल इस्टेट, सिविल लाईन्स, नागपुर-440001 (महाराष्ट्र) को भेजेंगे।

अनुसूची

बिणाखण्ड

नागपुर क्षेत्र

जिला—नागपुर (महाराष्ट्र)

क्रम	ग्राम का नाम	पटवारी	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
सं.		सर्किल सं.				
1.	बिणा	16	कांपटी	नागपुर	392.00	भाग
3.	भानेगांव	54	सावोनेर	नागपुर	74.00	भाग

कुल क्षेत्र : 466.00 हेक्टेयर (लगभग)

या 1151.53 एकड़ (लगभग)

सीमा वर्णन :

क—ख : रेखा बिन्दु “क” से आरम्भ होती है और कन्हन नदी के दक्षिणी किनारे के साथ-साथ ग्राम भानेगांव से होकर जाती है और बिन्दु “ख” पर मिलती है।

ख—ग : रेखा कन्हन नदी के दक्षिणी और पश्चिमी किनारे के साथ-साथ ग्राम बिणा से होकर जाती है और बिन्दु “ग” पर मिलती है।

ग—घ : रेखा ग्राम बिणा से होकर जाती है, उसके पश्चात् ग्राम भानेगांव से होकर आगे बढ़ती है और बिन्दु “घ” पर मिलती है।

घ—क : रेखा ग्राम भानेगांव से होकर जाती है और आरम्भ बिन्दु “क” पर मिलती है।

[फा. सं. 43015/16/94-एल एस डब्ल्यू]

नरेन्द्र भगत, निदेशक

New Delhi, the 1st September, 1994.

S.O. 2528.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. C-1(E)III/FR/545-1293 dated the 14th December, 1993 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra) or in the office of the Collector, Nagpur (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section(7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra) within ninety days from the date of publication of this notification.

SCHEDULE

BINA BLOCK

Nagpur Area

District Nagpur (Maharashtra)

S. No.	Name of village	Patwari circle number	Tehsil	District	Area in hectares	Remarks
1.	Bina	16	Kamptee	Nagpur	392.00	Part
2.	Bhanegaon	54	Saoner	Nagpur	74.00	Part
Total area :					466.00 hectares (approximately) or 1151.53 acres (approximately)	

Boundary description :

A—B	Line starts from point 'A' and passes through village Bhanegaon along the southern bank of Kanhan river and meets at point 'B'.
B—C	Line passes through village Bina along the southern and western bank of Kanhan river and meets at point 'C'.
C—D	Line passes through village Bina, then proceeds through village Bhanegaon and meets at point 'D'.
D—A	Line passes through village Bhanegaon and meets at starting point 'A'.

[No. 43015/16/94-LSW]

N. BHAGAT, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 11st August, 1994

नई दिल्ली, 11 अगस्त, 1994

का. आ. 2529 :—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में पेट्रोलियम और प्राकृतिक गैस मंत्रालय के अधीनस्थ सरकारी क्षेत्र के उपक्रमों के निम्नलिखित कार्यालयों को, जिनके कर्मचारी बन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. लुब्रिजल इंडिया लि., मार्फत : सेंटर फॉर हार्ड टेक्नोलॉजी, 5 वीं मंजिल, कोर-6 स्कोप कॉम्प्लेक्स लोदी रोड, नई दिल्ली - 110003
2. क्षेत्रीय मार्केटिंग कार्यालय, बोर्गाई गांव रिफाइनरी एंड पेट्रोकेमिकल्स लि., 112 सूर्य किरण भवन, 19 कस्तूरबा गांधी मार्ग, नई दिल्ली - 110001
3. इंडियन आयल कार्पोरेशन लि., (विपणन प्रभाग) धनबाद मंडल कार्यालय, होटल वी आई पी बिल्डिंग, बैंक मोरे, धनबाद (बिहार)।
4. गैस अथॉरिटी आफ इंडिया लि., 401, ललिता कॉम्प्लेक्स, रमाला रोड, नवरंगपुरा अहमदाबाद-380009
5. गैस अथॉरिटी आफ इंडिया लि., एन बी जे पाइप-लाइन परियोजना, बवराला, जिला बदायूँ-202521 (उ. प्र.)
6. गैस अथॉरिटी आफ इंडिया लि., ए-14 पी डी आई एल बिल्डिंग, सेक्टर - 1 नोएडा - 201301, जिला गाजियाबाद (उ. प्र.)।
7. गैस अथॉरिटी आफ इंडिया लि., दादरी टर्मिनल, एन टी पी सी कॉम्प्लेक्स, विद्युत नगर, गाजियाबाद-201008 (उ. प्र.)।
8. गैस अथॉरिटी आफ इंडिया लि., इपको टाउनशिप, आबंला, बरेली - 243403 (उ. प्र.)।
9. गैस अथॉरिटी आफ इंडिया लि., राजघाट कालोनी के सामने, नंदनपुरा झांसी - 284003 (उ. प्र.)।
10. आई बी पी कं. लि., बिजनेस ग्रुप (कैमीकल), एस सी ई ए पी तथा शोध एवं विकास केन्द्र, 50 कि. मी. मार्डल, स्टोन, देहली - जयपुर रा. राज मार्ग-8 मानेसर, गुडगावा, हरियाणा - 122050

[सं. 11011/1/93-हिन्दी]

एस. वेलुमणि, उप सचिव

S.O. 2529.—In pursuance of Sub Rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Public Sector Undertakings under the control of the Ministry of Petroleum & Natural Gas, the staff whereof have acquired 80 per cent working knowledge of Hindi :—

1. Lubrizol India Limited
C/o Centre for High Technology
5th Floor, Core-6 Scope Complex
Lodi Road, New Delhi-110003
2. Regional Marketing Office,
Bongaigaon Refinery & Petrochemicals Ltd.
112, Surya Kiran Building,
19, Kasturba Gandhi Marg,
New Delhi-110001.
3. Indian Oil Corporation Ltd. (Mktg. Division)
Dhanbad Divisional Office,
Hotel VIP Building, Bank Morey,
Dhanbad (Bihar).
4. Gas Authority of India Ltd
401, Lalita Complex, Ramla Road,
Navrangpura, Ahmedabad-380009
5. Gas Authority of India Ltd.
HBJ Pipeline Project,
Babrula, District : Badayun-202521 (UP)
6. Gas Authority of India Ltd.
A-14, PD I Building
Sector I, NOIDA, Ghaziabad-201301 (UP)
7. Gas Authority of India Ltd. Dadri
Terminal NTPC Complex, Vidyut Nagar,
Ghaziabad-201008 (UP)
8. Gas Authority of India Ltd.
IPCO Township Aunala, Bareilly-243403 (UP)
9. Gas Authority of India Ltd. Infront of
Rajghat Colony, Nandan Pura,
Jhansi-284003 (UP)
10. IBP Co. Ltd. Business Group (Chemical)
SC EAP & Research and Development Centre,
50 Km Mile Stone, Delhi Jaipur,
National Highway-8, Manesar, Gurgaon,
Haryana-122050.

[No. 11011/1/93-HINDI]

S. VELUMANI Dy. Secy.

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2530.—यतः भारतीय वायु प्राधिकरण नई दिल्ली द्वारा पेट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 के कलम 6 (1) के अनुसार नीचे अनुसूची में दिये हुए ग्रामों में गैस पार्श्व लाईन डालने के अधिकार को अर्जन किया था और इस अधिनियम की कलम 7 (1) की उपधारा 1 के अनुसार यह पार्श्व लाईन डालने का काम नीचे अनुसूची में दिए हुए ग्रामों में दिनांक 14-6-1994 को पूरा हो गया है।

मैं, श्री. एस. नाईक, सक्षम प्राधिकारी, थल-धन्यतर गैस पार्श्व लाईन प्रोजेक्ट पेट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1963 के नियम 4 (1) के अधीन यह अधिसूचित करता हूँ कि नीचे दिए हुए दिनांक इन ग्रामों में गैस पार्श्व लाईन डालने का काम पूरा कब हुआ यह दिनांक दिवानी है।

अनुसूची

SCHEDULE

जिला : रायगड	तालुका : अलिबाग	राज्य : महाराष्ट्र
अ.क्र.	ग्राम	तहसील
काम पूरा होने की तारीख		
1	बोरीरा	अलिबाग
2	गुजीस	अलिबाग
3	तुडाल	अलिबाग
4	मुनवली	अलिबाग
5	सोगांव	अलिबाग
6	बहिरोले	अलिबाग
7	परहूर	अलिबाग
8	भिसराई	अलिबाग
9	कामाळे (जंभुलपाडा तालुका)	अलिबाग
10	भायमला	अलिबाग
11	कामाळे	अलिबाग
12	वाघोली	अलिबाग
13	कोपर	अलिबाग
14	चनी	अलिबाग
15	खार-खोपने	अलिबाग
16	कांडवीरा	अलिबाग
17	शाहापुर	अलिबाग
18	शाहाबाज	अलिबाग

[सं. : एल - 14016/6/93 - जी. पी.]

अर्धेन्दु सैन, निदेशक

New Delhi, the 9th September, 1994

S.O. 2530.—Whereas Gas Authority of India Ltd. New Delhi has acquired Right of User Section 6(1) of the Petroleum and Minerals Pipe Line Act. (Acquisition of Right of User in the Land) Act 1962 for laying the Gas Pipe Line from Thal to Dharamtar in the villages mentioned in the schedule given below and has completed the laying of pipe line as referred to clause 1 of section 7(1) of the said Act, in the following villages on 14-06-1994.

I, V. S. Naik, Competent Authority, Thal to Dharamtar Gas Pipe Line Project, hereby notify under Rule 4(1) of the Petroleum and Minerals Pipe Lines (Acquisition of the Right of User in the land) Rules 1962, the above date as the date of termination of operation of laying the Gas Pipe Lines in these villages.

Tehsili: Alibag		District : Raigad	State : Maharashtra
Sr. No.	Name of village	Tehsil	Date of termination of the operation
1	2	3	4
1.	Boris	Alibag	14-6-94
2.	Gunjis	Alibag	14-6-94
3.	Tudal	Alibag	14-6-94
4.	Munavali	Alibag	14-6-94
5.	Sogaon	Alibag	14-6-94
6.	Bahirole	Alibag	14-6-94
7.	Parhur	Alibag	14-6-94
8.	Bhisarai	Alibag	14-6-94
9.	Talavade *	Alibag	14-6-94
10.	Bhaimala	Alibag	14-6-94
11.	Kamale	Alibag	14-6-94
12.	Wagholi	Alibag	14-6-94
13.	Koper	Alibag	14-6-94
14.	Chari	Alibag	14-6-94
15.	Khar-Khopne	Alibag	14-6-94
16.	Kandvira	Alibag	14-6-94
17.	Shahapur	Alibag	14-6-94
18.	Shahabaj	Alibag	14-6-94

* Including Jambhulpada

[No. L.14016/6/93-GP]

ARDHENDU SEN, Director.

पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2531 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से बावरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर-दादरी गैस पाइपलाइन परियोजना

ग्राम: तरावटा, तहसील: गुना, जिला: गुना

क्रमांक	खसरा नं	सर्वे का वह क्षेत्रफल जिसमें आर. ओ. यू. अध्यापित किया जाता है (हेक्टेयर)
01.	400	0.0300
02.	336/1	0.2535
03.	336/3	0.2745
04.	362	0.7090
05.	363	0.0950
06.	356/2	0.0483
07.	356/1	0.0100
08.	365	0.2870
09.	378	0.0125
10.	320/2	0.3675
11.	320/1	0.4390
12.	319/1	0.0700
13.	316	0.0300
14.	303	0.0756
15.	301/2	0.0960
16.	302	0.4006
17.	301	0.3240
18.	292	0.4480
कुल		3.9705

[सं. एल.-14016/7/94/जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O. 2531.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijapur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipe-lines (Acquisition of Right

of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, GAS AUTHORITY OF INDIA LIMITED, BHARTIYA VIDYALAYA CHAURAH, A. B. ROAD, SHIV-PURI (M. P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person by legal practitioner.

SCHEDULE

Vijapur Dadri Gas Pipeline Project

Village : Taravata, Tehsil : Guna Distt. : Guna

Sr. No.	Survey No.	Area to be acquired for ROU in Hectare
1.	400	0.0300
2.	336/1	0.2535
3.	336/3	0.2745
4.	362	0.7090
5.	363	0.0950
6.	356/2	0.0483
7.	356/1	0.0100
8.	365	0.2870
9.	378	0.0125
10.	320/2	0.3675
11.	320/1	0.5390
12.	319/1	0.0700
13.	316	0.0300
14.	303	0.0756
15.	301/2	0.0960
16.	302	0.4006
17.	301	0.3240
18.	292	0.4480
Total		3.9705

[No. L-14016/7/94- G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2532—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य-प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि है उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और गुंसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विशिष्ट व्यवसायी की मार्फत।

अनुसूची

विजयपुर—दादरी गैस पाइपलाइन परियोजना

ग्राम : सिगवासा, तहसील : गुना, जिला : गुना

क्रमांक खसरा नं. सर्वे का वह क्षेत्रफल जिसमें ग्राम. ओ. यू. अध्यापित किया जाना है (हेक्टेयर में)

1	2	3
01.	358	0.4754
02.	355	1.1350
03.	381/2	0.0940
04.	382	0.1060
05.	353	0.0730
06.	385	0.0655
07.	351	0.0024
08.	384	0.0060
09.	388	0.2590
10.	389	0.0300
11.	392	0.2700
12.	396	0.0040
13.	393	0.4388
14.	398/4	0.0594
15.	398/2	0.2317
16.	398/3	0.0468
17.	399	0.0720
18.	400	0.0305
19.	238	0.4210
20.	237/1/2	0.3515
21.	401/1/2	0.2110
22.	234/1/2	0.2260
23.	66	0.6167
24.	67	0.2205
25.	79	0.1192
26.	78	0.2010
27.	77	0.0510

1	2	3
28.	75	0.2665
29.	74	0.0360
30.	73	0.3560
31.	118	0.0740
32.	117	0.3300
33.	121	0.0242
34.	122	0.2640
35.	125	0.2800
36.	128	0.2925
37.	129/1	0.4620
38.	130	0.0550
39.	131	0.1245
40.	132	0.0350
41.	156	0.1868
42.	157	0.3115
43.	166/2	0.2005
44.	166/1	0.1650
45.	165/1/1	0.3700
46.	168	0.1860
47.	165/1/2	0.0300
48.	194	0.1200
49.	170/1/जी	0.1238
50.	170/1/क	0.3200
51.	193	0.0035
52.	170/2	0.1920
53.	158	0.0432
कुल :		10.6704

[सं एल — 14016/7/99-जी पी]

अर्थेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O. 2532.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijapur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

AND WHEREAS it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

नई दिल्ली। 9 मिनम्बर, 1994

SCHEDULE

Vijaypur—Daddri Gas Pipeline Project

Village : Singwasa, Tehsil : Guna, Distt. : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
1.	358	0.4754
2.	355	1.1350
3.	381/2	0.0940
4.	382	0.1060
5.	353	0.0730
6.	385	0.0655
7.	351	0.0024
8.	384	0.0060
9.	388	0.2590
10.	389	0.0300
11.	392	0.2700
12.	396	0.0040
13.	393	0.4388
14.	398/4	0.0594
15.	398/2	0.2317
16.	398/3	0.0468
17.	399	0.0720
18.	400	0.0306
19.	238	0.4210
20.	237/1/2	0.3516
21.	401/1/2	0.2110
22.	234/1/2	0.2260
23.	66	0.6167
24.	67	0.2205
25.	79	0.1192
26.	78	0.2010
27.	77	0.0510
28.	75	0.2665
29.	74	0.0360
30.	73	0.3560
31.	118	0.0750
32.	117	0.3300
33.	121	0.0242
34.	122	0.2640
35.	125	0.2800
36.	128	0.2925
37.	129/1	0.4620
38.	130	0.0550
39.	131	0.1245
40.	132	0.0350
41.	156	0.1868
42.	157	0.3115
43.	166/2	0.2005
44.	166/1	0.1650
45.	165/1/1	0.3700
46.	168	0.1860
47.	165/1/2	0.0300
48.	194	0.1200
49.	170/1G	0.1238
50.	170/1K	0.3200
51.	193	0.0035
52.	172/2	0.1920
53.	158	0.0432
Total		10.6704

[No. L-14016/7/94-G.P.]

ARDHENDU SEN, Director

का.आ. 2533:—यतः केन्द्रीय सरकार को यह प्रतीत है कि होता लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अघोषिटी आफ इंडिया लिमिटेड द्वारा पाईप लाईन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 9162 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना एतद्द्वारा आशय घोषित किया है।

बर्णित कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अघोषिटी आफ इंडिया लिमिटेड, भारतीय विशालय बौराहा, ए.बी. रोड, गिबपुरी (म.प्र.) को इस अधिसूचना की तारीख में 21 दिन के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर—दादरी गैस पाइपलाइन परियोजना

ग्राम : मिलावटी	तहसील : गुना	जिला : गुना
क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें धार. ओ. यू. अध्यापित किया जाना है (हेक्टेयर में)
(1)	(2)	(3)
01.	183/2	0.1188
02.	181	0.5785
03.	206	0.0330
04.	207	0.6850
05.	205	0.6692
06.	221	0.1050
07.	203	0.0297
08.	222	0.5425
09.	225	0.1050
10.	224	0.1980
11.	226	0.3170

(1)	(2)	(3)
12.	227	0.1075
13.	200	0.0487
14.	232	0.0007
15.	236	3.0254
16.	237	0.1066
17.	372	0.3327
18.	373	0.1698
19.	376	0.3700
20.	375	0.4700
21.	411	0.5510
22.	412	0.3290
23.	405	0.0904
24.	419	0.0216
25.	467	0.0432
कुल :		9.0483

[सं. एल.-14016/7/94-जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O. 2533 :—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijapur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, Therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

VIJAYPUR—DADRI GAS PIPELINE PROJECT

Village : Silawati	Tehsil : Guna	Distt. : Guna
Sr No.	Survey No.	Area to be acquired for R.O.U. in Hectare
01.	183/2	0.1188
02.	181	0.5785
03.	206	0.0330
04.	207	0.6850
05.	205	0.6692
06.	221	0.1050
07.	203	0.0297
08.	222	0.5425
09.	225	0.1050
10.	224	0.1980
11.	226	0.3170
12.	227	0.1075
13.	200	0.0487
14.	232	0.0007
15.	236	3.0254
16.	237	0.1066
17.	372	0.3327
18.	373	0.1698
19.	376	0.3700
20.	375	0.4700
21.	411	0.5510
22.	412	0.3290
23.	405	0.0904
24.	419	0.0216
25.	467	0.0432
Total		9.0483

[No. L.-14016/7/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

का. ग्रा. 2534 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अन्नपेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1952 (1962 का 50) की धारा, की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अथर्व कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति मक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय

चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधि-
सूचना की तारीख से 21 दिनों के भीतर करसकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः
यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी
मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की
मार्फत।

अनुसूची

विजयपुर—दादरी गैस पाइपलाइन परियोजना

ग्राम : घुरवांकला, तहसील : ईसागरह, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर. ओ. यू. अध्यापित किया जाना है। (हेक्टेयर में)
01.	695	0.5360
02.	694	0.0609
03.	697	0.0480
04.	698	0.3466
05.	680/2	0.2740
06.	680/1	0.3250
07.	676	0.0350
08.	677	0.2780
09.	681	0.2460
10.	672	0.3300
11.	673/1	0.0600
12.	673/2	0.3025
कुल :		2.8420

[सं. एल.-14016/7/94-जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delh, the 9th September, 1994

S.O. 2534.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

AND WHEREAS it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, GAS AUTHORITY OF INDIA LIMITED, BHARTIYA VIDYALAYA, CHAURAHA, A. B. ROAD, SHIVPURI (M.P.).

AND EVERY person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

VIJAYPUR-DADRI GAS PIPELINE PROJECT

Village : Ghurwan Kalan, Tehsil : Isagarh,
Dist. : Guna

Sr. No.	Survey No.	Area to be acquir- ed for R.O.U. in Hectare
01.	695	0.5360
02.	694	0.0609
03.	697	0.0480
04.	698	0.3466
05.	680/2	0.2740
06.	680/1	0.3250
07.	676	0.0350
08.	677	0.2780
09.	681	0.2460
10.	672	0.3300
11.	673/1	0.0600
12.	673/2	0.3025
Total :		2.8420

[No. L-14016/7/94-G.P.]

ARDHENDU SEN, Director.

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2535 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा अदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय, चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर—दादरी गैस पाइपलाइन परियोजना

ग्राम: रावसार, तहसील : ईसागढ़, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर. ओ. मू. अध्यापित किया जाना है (हेक्टेयर में)
01.	749	0.4975
02.	750	0.3520
03.	743	0.5085
04.	742	0.0092
05.	732	0.2914
06.	717	0.2572
07.	716	0.2327
08.	701	0.0160
09.	702	0.5310
10.	682/3	0.1560
11.	683	0.5055
12.	682/2	0.0055
13.	689/1	0.0975
14.	455	0.0650
15.	442/3	0.2975
16.	441	0.5410
17.	440/1/2	0.0140
18.	299	0.1038
19.	297	0.0312
20.	284	0.4060
21.	277	0.4815
22.	261	0.2790
23.	262	0.1375
24.	260	0.2455
25.	257	0.0960
26.	258	0.2004
27.	244	0.0245
28.	241/1	0.2830

1	2	3
01.	749	0.4975
02.	750	0.3520
03.	743	0.5085
04.	742	0.0092
05.	732	0.2914
06.	717	0.2572
07.	716	0.2327
08.	701	0.0160
09.	702	0.5310
10.	682/3	0.1560
11.	683	0.5055
12.	682/2	0.0055
13.	689/1	0.0975
14.	455	0.0650
15.	442/3	0.2975
16.	441	0.5410
17.	440/1/2	0.0140
18.	299	0.1038
19.	297	0.0312
20.	284	0.4060
21.	277	0.4815
22.	261	0.2790
23.	262	0.1375
24.	260	0.2455
25.	257	0.0960
26.	258	0.2004
27.	244	0.0245
28.	241/1	0.2830

1	2	3
29.	240	0.0120
30.	81/2	0.0264
31.	81/1	0.3850
32.	80	0.0740
33.	71	0.4727
34.	72	0.2484
35.	59	0.4405
36.	60	0.4110
37.	61	0.1068
38.	23	0.2012
39.	22	0.0697
40.	18	0.2854
41.	20	0.0375
42.	19	0.4284
43.	7	0.4315
44.	99	0.0245
45.	100	0.3630

कुल : 10.6839

[सं. एल.-14016/7/94-जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O. 2535.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural Gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

AND WHEREAS it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the scheule annexed hereto.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, GAS AUTHORITY OF INDIA LIMITED, BHARTIYA VIDYALAYA, CHAURAH, A.B. ROAD, SHIVPURI (M.P.).

AND EVERY person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

नई दिल्ली, 9 सितम्बर, 1994

VIJAYPUR-DADRI GAS PIPELINE PROJECT

Village : Ravsar, Tehsil : Isagarh, Distt : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
1.	749	0.4975
2.	750	0.3520
3.	743	0.5085
4.	742	0.0092
5.	732	0.2914
6.	717	0.2572
7.	716	0.2327
8.	701	0.0160
9.	702	0.5310
10.	682/3	0.1560
11.	683	0.5055
12.	682/2	0.0055
13.	689/1	0.0975
14.	455	0.0650
15.	442/3	0.2975
16.	441	0.5410
17.	440/1/2	0.0140
18.	299	0.1038
19.	297	0.0312
20.	284	0.4060
21.	277	0.4815
22.	261	0.2790
23.	262	0.1375
24.	260	0.2455
25.	257	0.0960
26.	258	0.2004
27.	244	0.0245
28.	241/1	0.2830
29.	240	0.0120
30.	81/2	0.0264
31.	81/1	0.3850
32.	80	0.0740
33.	71	0.4727
34.	72	0.2484
35.	59	0.4405
36.	60	0.4110
37.	61	0.1068
38.	23	0.2012
39.	22	0.0697
40.	18	0.2854
41.	20	0.0375
42.	19	0.4284
43.	7	0.4315
44.	99	0.0245
45.	100	0.3630
Total		10.6839

[No. L-14016/7/94—G.P.]

ARDHENDU SEN, Director

का. आ. 2536 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उच्च पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 56) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला वह व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर—दादरी गैस पाइपलाइन परियोजना

ग्राम : खजूरी, तहसील : गुना, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर. ओ. यू. अध्यापित किया जाना है। (हेक्टेयर में)
1	2	3
01.	450	0.0852
02.	429	0.2397
03.	452	0.4340
04.	453	0.1765
05.	454	0.4550
06.	455	0.4690
07.	456	0.0330
08.	461/5	0.0011
09.	459	0.0280
10.	461/14	0.0655

1	2	3
11.	461/13	0.1005
12.	461/12	0.4295
13.	461/25	0.1870
14.	461/24	0.4805
15.	251/1	0.0290
16.	250/2	0.2275
17.	249	0.1835
18.	248	0.2750
19.	210	0.3935
20.	222	0.1300
21.	221	0.1480
22.	220	0.3070
23.	217	0.3170
24.	303	0.0360
25.	218	0.1470
26.	119	0.0420
27.	118	0.0024
28.	117	0.3900
29.	116	0.3645
30.	106	0.0330
31.	107	0.3900
32.	102	0.0892
कुल :		6.6891

[सं. एन—14016/7/94—जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September 1994

S.O. 2536.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, Therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline

under the land to the Competent Authority, GAS AUTHORITY OF INDIA LIMITTD, BHARTIYA VIDYALAYA CHAURAH, A.B. ROAD, SHIVPURI (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

VIJAYPUR-DADRI GAS PIPELINE PROJECT

Village : Khajuri, Tehsil : Guna, Distt : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in hectare
01.	453	0.0852
02.	429	0.2397
03.	452	0.4340
04.	453	0.1765
05.	454	0.4550
06.	455	0.4690
07.	456	0.0330
08.	461/5	0.0011
09.	459	0.0280
10.	461/14	0.0655
11.	461/13	0.1005
12.	461/12	0.4295
13.	461/25	0.1870
14.	461/24	0.4805
15.	251/1	0.0290
16.	250/2	0.2275
17.	249	0.1835
18.	248	0.2750
19.	210	0.3935
20.	222	0.1300
21.	221	0.1480
22.	220	0.3070
23.	217	0.3170
24.	203	0.0360
25.	218	0.1470
26.	119	0.0420
27.	118	0.0024
28.	117	0.3900
29.	116	0.3645
30.	106	0.0330
31.	107	0.3900
32.	102	0.0892
Total		66.6891

[No. L-14016/7/94—G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

New Delhi, the 9th September, 1994

का.आ. 2537.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए।

और, यतः, यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए.बी. रोड, शिवपुरी (म.प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर-दादरी गैस पाइपलाइन परियोजना

ग्राम : पदमनखड़ी, तहसील : गुना, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर.ओ.यू.अध्यापित किया जाना है (हेक्टेयर में)
01.	14/1	0.5232
02.	12/1	0.1548
03.	17	0.2380
04.	18	0.0006
05.	16	0.0630
06.	19	0.3669
07.	21	0.2970
08.	22/1	0.1230
09.	26	0.4950
10.	28	0.4860
11.	29	0.2670
12.	30	0.3555
13.	34	0.3190
14.	35	0.4430
15.	37/2	0.3137
कुल :		4.0470

[सं. एल-14016/7/94-जी.पी.]

अर्धेन्दु सेन, निदेशक

S.O. 2537.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of natural gas from Vijaypur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And, whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, Therefore, in exercise of the powers conferred by sub-section.(1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided That any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, GAS AUTHORITY OF INDIA LIMITED BHARTIYA VIDYALAYA CHAURAH. A.B. ROAD, SHIVPURI (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Vijaypur-Dadri Gas Pipeline Project

Village : Padmankheri Tehsil : Guna Distt.: Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
01.	14/1	0.5232
02.	12/1	0.1548
03.	17	0.2380
04.	18	0.0006
05.	16	0.0630
06.	19	0.3669
07.	21	0.2970
08.	22/1	0.1230
09.	26	0.4950
10.	28	0.4860
11.	29	0.2670
12.	30	0.3555
13.	34	0.3190
14.	35	0.4430
15.	37/2	0.3137
Total		4.0470

[No. L-14016/7/94-G.P.]
ARDHENDU SEN, Director,

नई दिल्ली, 9 मिनम्बर, 1994

1 2 3

का. आ. 2538:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथारिटी आफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए।

और, यतः, यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पावड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सहम आधिकारी गैस अथारिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय धौराहा, ए. बी. रोड, शिवपुरी. (म. प्र.) को इस अधि-सूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर - दादरी गैस पाइपलाइन परियोजना

ग्राम : म्याना, तहसील : गुना, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें ग्राम. धो. यू. अध्यापित किया जाना है (हेक्टर में)
1	2	3
01.	276/2	0.1920
02.	281	0.5205
03.	280	0.0338
04.	310	0.3000
05.	309	0.1455
06.	308	0.3750
07.	305/3	0.5505
08.	305/2	0.6000

09.	305/1	0.4170
10.	297	0.0075
11.	296	0.0435
12.	295	0.6900
13.	294	0.2620
14.	353	0.0900
15.	366	0.0210
16.	889	0.2800
17.	888	0.1900
18.	887	0.4710
19.	891	0.1035
20.	882	0.2790
21.	366	0.0180
22.	881	0.1545
23.	879/2	0.1360
24.	880	0.3180
25.	975	5.3105
26.	976	0.3330
27.	978	0.3030
28.	979	0.4770
29.	968	0.1545
30.	980	0.0630
31.	865/5	0.0210
32.	865/7	0.4208
33.	865/3	0.1066
34.	865/4	0.3125
35.	865/8	0.3600
36.	773	0.2400
37.	781/1	0.0140
38.	781/2/3	0.5785
39.	781/2/2	0.3580
40.	781/2/5	0.5340
41.	781/2/1	0.0810
42.	782/1/3	0.0040
43.	763/1	0.6540
44.	763/2	0.5000
45.	764	0.2756
46.	762	0.0067
47.	768/1	0.1170
48.	768/2	0.3990
49.	765/2	0.2033
50.	766/1	0.0922

कुल : 12.8925

[सं. एल-11016/7/94-जीपी]

अर्थन्तु मेर, निदेशक

New Delhi, the 9th September, 1994

S.O.2538.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Vijaypur-Dadri Gas Pipeline Project

Village : Miana, Tehsil : Guna Distt. : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
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1	2	3
1.	276/2	0.1920
2.	281	0.5205
3.	280	0.0338
4.	310	0.3000
5.	309	0.1455
6.	308	0.3750
7.	305/3	0.5505
8.	305/2	0.6000
9.	305/1	0.4170
10.	297	0.0075
11.	296	0.0435
12.	295	0.6900
13.	294	0.2620
14.	353	0.0900
15.	366	0.0210
16.	889	0.2800
17.	888	0.1900
18.	887	0.4710

1	2	3
19.	891	0.1035
20.	882	0.2790
21.	366	0.0180
22.	881	0.1545
23.	879/2	0.1360
24.	880	0.3180
25.	975	0.3105
26.	976	0.3330
27.	978	0.3030
28.	979	0.4770
29.	968	0.1545
30.	980	0.0630
31.	865/5	0.0210
32.	865/7	0.4208
33.	865/3	0.1066
34.	865/4	0.3125
35.	865/8	0.3600
36.	773	0.0240
37.	781/1	0.0140
39.	781/2/3	0.5785
39.	781/2/2	0.3580
40.	781/2/5	0.5340
41.	781/2/1	0.0810
42.	782/1/3	0.0040
43.	763/1	0.6450
44.	763/2	0.5000
45.	764	0.2756
46.	762	0.0067
47.	768/1	0.1170
48.	768/2	0.3990
49.	765/2	0.2033
50.	766/1	0.0922

Total 12.8925

[No. L-14016/7/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2539.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर में दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी आफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उन भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा ए. बी. रोड, शिवपुरी, (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर - दादरी गैस पाइप लाईन परियोजना

ग्राम : जामरा, तहसील : गुना, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें ग्राम. ओ. यू. अध्यापित किया जाना है (हेक्टेयर में)
01.	67/1	0.1075
02.	64	0.4160
03.	67/2	0.2085
04.	8	0.3850
05.	49/2	0.2950
06.	48	0.3175
07.	14	0.3175
08.	15	0.3565
09.	16	0.1345
कुल :		2.5380

[सं. एल - 14016/7/94 - जी. पी.]
अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O.2539.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaypur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 to 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Vijaypur—Dadri Gas Pipeline Project

Village Jamra, Tehsil : Guna, Distt. : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
01.	67/1	0.1075
02.	64	0.4160
03.	67/2	0.2085
04.	8	0.3850
05.	49/2	0.2950
06.	48	0.3175
07.	14	0.3175
08.	15	0.3565
09.	16	0.1345
Total :		2.5380

[No. L. 14016/7/94—G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 मिनम्बर, 1994

का. आ. 2540.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतदपारब्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उन भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपाति करने वाला हर व्यक्ति विनिर्दिष्ट:
यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी
मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की
मार्फत।

अनुसूची

विजयपुर -- दादरी गैस पाईप लाईन परियोजना

ग्राम : सगोरिया, तहसील : गुना, जिला : गुना

New Delhi, the 9th September, 1994

S.O.3540.—Whereas it appears to the Central Government that it is necessary, in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in the land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to Competent Authority Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B Road, Shivpuri (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Vijaypur-Dadri Gas Pipeline Project

Village : Sagoria, Tehsil : Guna, Distt. : Guna

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर. ओ. यू. अध्यापित किया जाता है (हेक्टेयर में)
01.	310	0.0250
02.	311	0.0210
03.	312/2	0.1845
04.	312/1	0.7030
05.	316	0.0375
06.	313/2	0.3205
07.	314	0.0210
08.	315/21	0.3417
09.	315/13	0.2920
10.	315/12	0.2910
11.	315/10/1	0.2940
12.	315/1/2	0.4260
13.	315/6	0.0252
14.	315/20	0.3363
15.	315/23	0.0025
16.	315/1/4	0.0900
17.	316	0.0270
18.	172/1/2	0.2700
19.	172/1/5	0.3300
20.	171	0.5365
21.	166	0.0573
22.	167	0.4060
23.	168/2	0.1720
24.	168/1	0.1510
25.	152/1	0.0012
26.	152/2	0.2755
27.	153	0.3740
28.	147	0.0018
29.	146/1	0.7110
30.	145	0.1780

कुल : 6.7060.

[सं. एल - 14016/7/94 - जी. पी.]

अर्थेन्दु सेन, निदेशक

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
1	2	3
1.	310	0.0250
2.	311	0.0210
3.	312/2	0.1845
4.	312/1	0.7030
5.	316	0.0375
6.	313/2	0.3205
7.	314	0.0210
8.	315/21	0.3417
9.	315/13	0.2920
10.	315/12	0.2910
11.	315/10/1	0.2940
12.	315/1/2	0.4260
13.	315/6	0.0252
14.	315/20	0.3363
15.	315/23	0.0025
16.	315/1/4	0.0900
17.	316	0.0270
18.	172/1/2	0.2700
19.	172/1/5	0.3300
20.	171	0.5365

अनुसूची

21. 166	0.0573
22. 167	0.4060
23. 168/2	0.1720
24. 168/1	0.1510
25. 152/1	0.0012
26. 152/2	0.2755
27. 153	0.3740
28. 147	0.0018
29. 146/1	0.7115
30. 145	0.1780
Total :	6.7060

[No. L-14016/7/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2541.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाईन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइप लाइन बिछाने के प्रयोजन के लिए एतदपात्र अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

विजयपुर — दादरी गैस पाइप लाइन परियोजना

ग्राम : भदोरा, तहसील : गुना, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर ओ यु अध्यापित किया जाना है (हेक्टेयर में)
01.	372	0.0480
02.	365	0.7400
03.	371	0.0805
कुल :		0.8685

[सं. एल - 14016/7/94 - जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O.2541.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

अनुसूची

Vijaipur-Dadri Gas Pipeline Project

विजयपुर-दादरी गैस पाइपलाइन परियोजना

Village : Bhadaura, Tehsil : Guna, Distt. : Guna

ग्राम : खारखेड़ा, तहसील : गुना, जिला : गुना

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
1.	372	0.0480
2.	365	0.7400
3.	371	0.0805
Total :		0.8685

[No. L-14016/7/94-G.P.]
ARDHENDU SEN, Director

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर. ओ. यू. अध्यापित किया जाना है (हेक्टेयर में)
01.	76/1/1	0.6330
02.	76/7	0.3600
03.	2	0.0810
04.	77	0.0480
कुल :		1.1220

नई दिल्ली, 9 सितम्बर, 1994

[सं. एल - 14016/7/94 - जी. पी.]

अर्धेन्दु सेन, निदेशक

का. आ. 2542.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए।

New Delhi, the 9th September, 1994

S.O.2542.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

और यतः यह प्रतीत होता है कि उक्त पाईप लाईन बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B Road, Shivpuri (M.P.)

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

अनुसूची

Vijaypur—Dadri Gas Pipeline Project

विजयपुर — दादरी गैस पाइप लाइन परियोजना

Village : Gwarkhera. Tehsil : Guna, Distt : Guna

ग्राम : खुटियावाड़, तहसील : गुना, जिला : गुना

Sr. No.	Survey No.	Area to be acquired for R.N.O. in Hectares
1.	76/1/1	0.6330
1.	76/7	0.3600
3.	2	0.0810
4.	77	1.0480
Total :		11.1220

[No. L-14016/7/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2543.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथारिटी आफ इंडिया लिमिटेड, द्वारा पाइप लाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइप लाइन बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति मक्षम प्राधिकारी गैस अथारिटी आफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी, (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर ओ यू अध्यापित किया जाना है। (हेक्टेयर में)
1	2	3
01.	561	0.1180
02.	558	0.2289
03.	557	0.2530
04.	556	0.4300
05.	553	0.0370
06.	532	0.0300
07.	525	0.2830
08.	524	0.4870
09.	498/2के	0.1802
10.	502	0.2800
11.	503	0.4180
12.	504	0.1198
13.	506	0.3494
14.	505	0.0090
15.	508	0.2920
16.	509	0.0960
17.	512	0.0785
18.	510	0.0450
19.	513	0.5513
20.	619	0.8450
21.	486	0.0750
22.	240	0.0150
23.	241/1के	0.1600
24.	241/3	0.2040
25.	33	0.2700
26.	32/1के	0.3180
27.	32/2	0.3755
28.	32/1केएच	0.3297
29.	27/2	0.0004
30.	27/1	0.5990
31.	25	0.6140
32.	23	0.0180
33.	19/2	0.0612
34.	19/1	0.0598
35.	19/3	0.2472
36.	16/2	0.5450
37.	16/1	0.1215
38.	13/1	0.2955
39.	14/2	0.0360

1	2	3
40.	14/1	0.2310
41.	7	0.2308
42.	1/3	0.5865
43.	1/5	0.0750
44.	1/7	0.1230
45.	1/2	0.0285
46.	1/8/2	0.4100
47.	1/8/1	0.2000
48.	1/9	0.0504
49.	1/10	0.6570
50.	111/2	0.0252
कुल :		12.6633

[सं. एल-14016/7/94 - जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O.2543.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Vijaypur—Dadri Gas Pipeline Project

Village : Khutiyawad, Tehsil : Guna, Distt. : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
1.	561	0.4180
2.	558	0.2289
3.	557	0.2530
4.	556	0.4300
5.	553	0.3070
6.	532	0.0300
7.	525	0.2830
8.	524	0.4870
9.	498/2K	0.1802
10.	502	0.2800
11.	503	0.4180
12.	504	0.1198
13.	506	0.3494
14.	505	0.0090
15.	508	0.2920
16.	509	0.0960
17.	512	0.0785
18.	510	0.0450
19.	513	0.5513
20.	619	0.8450
21.	486	0.0750
22.	240	0.0150
23.	241/1K	0.1600
24.	241/3	0.2040
25.	3	0.2700
26.	32/1K	0.3180
27.	32/2	0.3755
28.	32/1KH	0.3297
29.	27/2	0.0004
30.	27/1	0.5990
31.	25	0.6140
32.	23	0.0180
33.	19/2	0.0612
34.	19/1	0.0598
35.	19/3	0.2472
36.	16/2	0.5450
37.	16/1	0.1215
38.	13/1	0.2955
39.	14/2	0.0360
40.	14/1	0.2310
41.	7	0.2308
42.	1/3	0.5865
43.	1/5	0.0750
44.	1/7	0.1230
45.	1/2	0.0285
46.	1/8/2	0.4100
47.	1/8/1	0.2000
48.	1/9	0.0504
49.	1/10	0.6570
50.	111/2	0.0252

Total : 12.6633

[No. L-14016/7/94-G P]

ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1991

का. आ. 2544.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदा शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है :

वशत कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, भारतीय विद्यालय चौराहा, ए. बी. रोड, शिवपुरी, (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर-दादरी गैस पाइपलाइन परियोजना

ग्राम : घामनार तहसील : गुना जिला : गुना

1	2	3
13.	346/2/6	0.1730
14.	346	0.3414
15.	342	0.0143
16.	345/748	0.4710
17.	345	0.0914
17-ए	344	0.0750
18.	343	0.1295
19.	340	0.4250
20.	338	0.1462
21.	332	0.6000
22.	463	0.0245
23.	465	0.2170
24.	555	0.0420
25.	603	0.1680
26.	608	0.5100
27.	609	0.2120
28.	590	0.6860
29.	613	0.2924
30.	589/2	0.2150
31.	587	0.2900
32.	585	0.3925
33.	584/2	0.0280
34.	584/1	0.0400
35.	579	0.2400
36.	583/1	0.1560
37.	583/2	0.0045

कुल : 8.9259

[सं. एन-14016/7/94-जी. पी.]

अर्थव्यु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O.2544.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivapuri (M.P.).

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आर.ओ.यू. अध्यापित किया जाना है। (हेक्टेयर में)
1	2	3
01.	266	0.3430
02.	265	0.2820
03.	263/2	0.0900
04.	263/1	0.2378
05.	262	0.1550
06.	260	0.3530
07.	283	0.0150
08.	315	0.3640
09.	314	0.2690
10.	286	0.5475
11.	319	0.0420
12.	346/1/2	0.2430

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

VIJAYPUR-DADRI GAS PIPELINE PROJECT

Village : Dhamnar, Tehsil : Guna, Distt : Guna

Sl. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
01.	266	0.3430
02.	265	0.2820
03.	263/2	0.0900
04.	263/1	0.2378
05.	262	0.1550
06.	260	0.3530
07.	283	0.0150
08.	315	0.3640
09.	314	0.2690
10.	286	0.5475
11.	319	0.0420
12.	346/1/2	0.2430
13.	346/2/6	0.1730
14.	346	0.3413
15.	342	0.0143
16.	345/748	0.4710
17.	345	0.0914
17-A.	344	0.0750
18.	343	0.1295
19.	340	0.4250
20.	338	0.1462
21.	332	0.6000
22.	463	0.0245
23.	465	0.2170
24.	555	0.0420
25.	603	0.1680
26.	608	0.5100
27.	609	0.2120
28.	590	0.6860
29.	613	0.2974
30.	589/2	0.2150
31.	587	0.2900
32.	585	0.3925
33.	584/2	0.0280
34.	584/1	0.0400
35.	579	0.2400
36.	583/1	0.1560
37.	583/2	0.0945
		8.9259

[No. 1-14016/7/94- G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2545.-यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में विजयपुर से दादरी तक प्राकृतिक गैस के परिवहन के लिए गैस अथारिटी आफ इंडिया लिमिटेड, द्वारा पाइपलाइन बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए एतदपात्र अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आपत्ति सक्षम प्राधिकारी गैस अथारिटी आफ इंडिया लिमिटेड, भारतीय विद्युत बोर्ड, ए. बी. रोड, शिवपुरी, (म. प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसी आपत्ति करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर-दादरी गैस पाइपलाइन परियोजना

ग्राम : पिपरिया, तहसील : गुना, जिला : गुना

क्रमांक	खसरा नं.	सर्वे का वह क्षेत्रफल जिसमें आरओयू अध्यापित किया जाना है। (हेक्टेयर में)
1	2	3
01.	246	0.3685
02.	242	0.0240
03.	241	0.2755
04.	240	0.1150
05.	229	0.4635
06.	230/2/1	0.3355
07.	230/1	0.1750
08.	231	0.0450
09.	233	0.0311
10.	132	0.7515
11.	110/442	0.3374
12.	127	0.3565
13.	128	0.3325
14.	129	0.2500
15.	125	0.2836

1	2	3
16.	124	0.2830
17.	123	0.1300
18.	160	0.3540
19.	159	0.1100
20.	158	0.5035
21.	147/2	0.4750
22.	148	0.4600
23.	149	0.0732
24.	145/1	0.0070
25.	152/4	0.2777
26.	152/1	0.3535
27.	92	0.0430
28.	85/1/1	0.2950
29.	70/1	0.0038
30.	84	0.3362
31.	85/2	0.1815
32.	83/1	0.2800
33.	83/2	0.2930
34.	83/3	0.0315
35.	82	0.1965
36.	81	0.0726
37.	78	0.0975
38.	80	0.1950
39.	78/438	0.3940
40.	88	0.0540
41.	143	0.0648
कुल :		9.7099

[सं. एल - 14016/7/94 - जी. पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 9th September, 1994

S.O.2545.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural gas from Vijaipur to Dadri in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent authority, Gas Authority of India Limited, Bhartiya Vidyalaya Chauraha, A.B. Road, Shivpuri (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

VIJAYPUR-DADRI GAS PIPELINE PROJECT

Village : Piparia, Tehsil : Guna, Distt. : Guna

Sr. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
01.	246	0.3685
02.	242	0.0240
03.	241	0.2755
04.	240	0.1150
05.	229	0.4635
06.	230/2/1	0.3355
07.	230/1	0.1750
08.	231	0.0450
09.	233	0.0311
10.	132	0.7515
11.	110/442	0.3374
12.	127	0.3565
13.	128	0.3325
14.	129	0.2500
15.	125	0.2836
16.	124	0.2830
17.	123	0.1300
18.	160	0.3540
19.	159	0.1100
20.	158	0.5035
21.	147/2	0.4750
22.	148	0.4600
23.	149	0.0732
24.	145/1	0.0070
25.	152/4	0.2777
26.	152/1	0.3535
27.	92	0.0430
28.	85/1/1	0.2950
29.	70/1	0.0038
30.	84	0.3362
31.	85/2	0.1815
32.	83/1	0.2800
33.	83/2	0.2930
34.	83/3	0.0315
35.	82	0.1965
36.	81	0.0726
37.	78	0.0975
38.	80	0.1950
39.	78/438	0.3940
40.	88	0.0540
41.	143	0.0648
Total		9.7099

[No. L-14016/7/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 12 सितम्बर, 1994

का.प्रा. 2546:—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.प्रा. 2608 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची परिच्छेद 6-1-विशेष

गैस पाइप लाइन प्रोजेक्ट

मनडपेट-कोन्डालम्म शेखु (वेगम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
1	2	3	4	5	6
पूरुब गोदावरी	रामानन्दपुरम	कुर्मापुरम	18-1 भाग	0-30-50	
			18-2 भाग	0-00-50	
			17-1 भाग	0-12-50	
			17-2 भाग	0-12-50	
			20-2 भाग	0-00-50	
			20-3 भाग	0-01-50	
			16-2 भाग	0-17-00	
			16-3 भाग	0-04-50	
			21-1 भाग	0-03-00	
			21-3 भाग	0-08-50	
			22-1 भाग	0-17-50	
			23-- भाग	0-26-50	
			24-1 भाग	0-09-00	
			24-2 भाग	0-08-50	
			61-1 भाग	0-10-50	
			61-3 भाग	0-14-50	
			62-2 भाग	0-07-50	
			62-3 भाग	0-06-50	
			62-6 भाग	0-07-50	
			62-7 भाग	0-07-00	
				2-06-00	

1	2	3	4	5	6
पूरब गोदावरि	रामाबन्धापुरम	कूर्मापुरम	63-1 भाग	0-02-00	
			63-2 भाग	0-20-50	
			65-2 भाग	0-09-00	
			65-3 भाग	0-12-50	
			66-2 भाग	0-21-00	
			88-1 भाग	0-15-00	
			89- भाग	0-02-50	जि. पि.
			120-1 भाग	0-00-50	जि. पि.
			2 भाग	0-19-50	
			121-1 भाग	0-18-00	
			122-2 "	0-01-50	
			122-3 "	0-02-00	
			122-4 "	0-04-00	
			122-5 "	0-09-50	
			123-3 "	0-16-00	
			124-1 "	0-14-50	
			125-3 "	0-12-00	
			142-1 "	0-22-50	
			142-2 "	0-06-00	
			143- "	0-03-00	जि. पि.
			कुल	2-11-50	
			कुल	2-06-00	
			ग्रॉट कुल	4-17-50	आर एसी 10.32 सेंट्स

[मं. एल-14016/12/93-जी.पी.]

अर्घेन्दु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2546 :—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2608 dated 4-12-93 under sub-section (I) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, Therefore, in exercise of the powers conferred by sub section(i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And Further in exercise of power conferred by sub-section (4) of the section the Central Government direct that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE
FOR SECTION 6(1) NOTIFICATION
GAS PIPE LINE PROJECT
MANDAPETA—KONDALAMMA CHERUVU VEGABAMMPETTA

District	Mandal	Village	Survey Nos.	Area (in Hect/Acres)	Remarks
1	2	3	4	5	6
East Godavari	Ramachandra- puram	Kurmapuram	18—1 Part	0 30	50
			18—2 Part	0 00	50
			17—1 Part	0 12	50
			17—2 Part	0 12	50
			20—2 Part	0 00	50
			20—3 Part	0 01	50
			16—2 Part	0 17	00
			16—3 Part	0 04	50
			21—1 Part	0 03	00
			21—3 Part	0 08	50
			22—1 Part	0 17	50
			23— Part	0 26	50
			24—1 Part	0 09	00
			24—2 Part	0 08	50
			61—1 Part	0 10	50
			61—3 Part	0 14	50
			62—2 Part	0 07	50
			62—3 Part	0 06	50
			62—6 Part	0 07	50
			62—7 Part	0 07	00
			63—1 Part	0 02	00
East Godavari	Ramachandra-	Kurmapuram	63—2 Part	0 20	50
			65—2 Part	0 09	00
			65—3 Part	0 12	50
			66—2 Part	0 21	00
			88—1 Part	0 15	00
			89— Part	0 02	50 G.P.
			120—1 Part	0 00	50 G.P.
			120—2 Part	0 19	50
			121—1 Part	0 18	00
			122—2 Part	0 01	50
			122—3 Part	0 02	00
			122—4 Part	0 04	00
			122—5 Part	0 09	50
			123—3 Part	0 16	00
			124—1 Part	0 14	50
			125—3 Part	0 12	00
			142—1 Part	0 22	50
			142—2 Part	0 06	00
			143 Part	0 03	00 G.P.
			Hec	4 17	50
				OR	
			AC	0 10	32 Cents.

[No. L—14016/12/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 12 सितम्बर, 1994

का.आ. . . 2547 :—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. 2609 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

परिच्छेद 6 (1) विज्ञप्ति

गैस पाइप लाइन प्रोजेक्ट

मंडपेट—कांडालम्म चेरु (वेगयम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
1	2	3	4	5	6
पूरब गोदावरी	रामचंद्रपुरम	वेगयम्मपेट	254-3 भाग	0-15-75	जि. पि.
			254-4 "	0-15-25	
			251-2 "	0-10-00	
			253- "	0-02-00	
			244-4 "	0-13-00	
			244-3 "	0-00-50	
			244-6 "	0-06-50	
			244-10 "	0-06-00	
			243-2 "	0-05-00	
			243-4 "	0-11-50	
			243-6 "	0-03-00	
			242-1 "	0-02-00	
			242-5 "	0-04-00	
			242-6 "	0-03-00	
			242-7 "	0-06-00	
			242-8 "	0-04-00	
			242-9 "	0-06-50	
			242-12 "	0-00-50	
			323-3 "	0-18-50	
			323-4 "	0-02-00	
			कुल हेक्टे.	1-35-00	

1	2	3	4	5	6
पूरन गोदावरि	रामचंद्रपुरम	वेगयम्मपेट	323-2 भाग	0-01-50	
			323-5 "	0-09-00	
			315-5 "	0-10-50	
			316-1 "	0-11-50	
			322-9 "	0-06-00	
			322-2 "	0-06-50	
			322-1 "	0-04-00	
			322-4 "	0-07-00	
			328-- "	0-01-50	
			331-3 "	0-01-00	
			312-6 "	0-02-00	
			332-1 "	0-06-50	
			332-4 "	0-10-00	
			332-7 "	0-01-00	
			332-5 "	0-00-50	
			332-6 "	0-01-50	
			335-8 "	0-09-00	
			334-7 "	0-00-00	
			334-6 "	0-07-00	
			334-9 "	0-05-25	
			334-10 "	0-05-00	
			334-8 "	0-03-00	
			334-11 "	0-05-25	
			334-14 "	0-00-50	
			347-3 "	0-04-00	
			347-1 "	0-15-00	
			कुल हेक्टे.	1-34-50	
पूरन गोदावरि	रामचंद्रपुरम	वेगयम्मपेट	337-2 भाग	0-06-00	
			337-1 "	0-08-00	
			337-6 "	0-00-50	
			337-4 "	0-08-25	
			337-3 "	0-05-25	
			176- "	0-13-50	जि. पि.
			177-2 "	0-07-50	
			174-2 "	0-13-00	
			कुल	0-59-00	
			पहला पेज कुल	1-35-00	
			दूसरा पेज कुल	1-34-60	
			कुल हेक्टे.	3-2850	
			और		
				8-12 सेंटस	

[सं. एल-14016/12/93-जी.पी.]

अधेन्दु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2547.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2609 dated 4-12-93 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, Therefore, in exercise of the powers conferred by sub-section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE

FOR SECTION 6(1) NOTIFICATION

GAS PIPE LINE PROJECT

Mandapeta—Kondalamma Cheruvu (Vegayammapeta)

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
1	2	3	4	5	6
East Godavari	Ramachandra-Puram	Vegayammapeta	254—3 Part	0 15 75	G.P.
			254—4 Part	0 15 25	
			251—2 Part	0 10 00	
			253— Part	0 02 00	
			244—4 Part	0 13 00	
			244—3 Part	0 00 50	
			244—6 Part	0 06 50	
			244—10 Part	0 06 00	
			243—2 Part	0 05 00	
			243—4 Part	0 11 50	
			243—6 Part	0 03 00	
			242—1 Part	0 02 00	
			242—5 Part	0 04 00	
			242—6 Part	0 03 00	
			242—7 Part	0 06 00	
			242—8 Part	0 04 00	
			242—9 Part	0 06 50	
			242—12 Part	0 00 50	
			323—3 Part	0 18 50	
			323—4 Part	0 02 00	

1	2	3	4	5	6
East Godavari	Ramachandra-Puram	Vegayamma-peta	323—2 Part	0	01 50
			323—5 Part	0	09 00
			315—5 Part	0	10 50
			316—1 Part	0	11 50
			322—9 Part	0	06 00
			322—2 Part	0	06 50
			322—1 Part	0	04 00
			322—4 Part	0	07 00
			328 Part	0	01 50
			331—3 Part	0	01 00
			331—6 Part	0	02 00
			332—1 Part	0	06 50
			332—4 Part	0	10 00
			332—7 Part	0	01 00
			332—5 Part	0	00 50
			332—6 Part	0	01 50
			335—8 Part	0	09 00
			334—7 Part	0	00 50
			334—6 Part	0	07 00
			334—9 Part	0	05 25
			334—10 Part	0	05 00
			334—8 Part	0	03 00
			334—11 Part	0	05 25
			334—14 Part	0	00 50
			347—3 Part	0	04 00
			347—1 Part	0	15 00
Total				1	34 50
East Godavari	Ramachandra-Puram	Vegayammapeta	337—2 Part	0	06 00
			337—1 Part	0	08 00
			337—6 Part	0	00 50
			337—4 Part	0	05 25
			337 3 Part	0	05 25
			176— Part	0	13 50
			177—2 Part	0	07 50
			174—2 Part	0	13 00
Total				0	59 00
1st Page Total				1	35 00
2nd page Total				1	34 50
Grand Total				3	28 50
OR					
AC				8	12 Cents.

G.P.

नई दिल्ली, 12 सितम्बर, 1994

का.आ. 2548 :—पेट्रोलियम और खनिज पाइप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. 2610 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन बिछाने के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाये गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची परिच्छेद 6(1) विन्यास

गैस पाइप लाइन प्रोजेक्ट

मंडपेट—कोडालम्म

चेन्नई (वेगयम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्ट. एकड़ में)	विवरण
पूरुब गोदावरि	रामचंद्रपुरम	बंकटायपालेम	28-2 भाग	0-19-50	जि.पि.
			29-3 ,,	0-06-50	
			,, 2 ,,	0-06-00	
			,, 4 ,,	0-07-00	
			,, 6 ,,	0-05-00	
			32-1 ,,	0-08-00	
			27-5 ,,	0-05-50	
			26-2 ..	0-24-50	
			25-0 ,,	0-38-00	
			18-1 ,,	0-02-00	
			,, 2बी ,,	0-15-00	
			,, 2ए ,,	0-04-00	
			17-2 ,,	0-01-50	
			19-2 ,,	0-03-00	
			,, 1 ,,	0-19-50	
			,, 7 ,,	0-30-50	
			,, 8 ,,	0-18-50	
			208-1 ,,	0-14-50	
			206-1 ,,	0-21-00	
			205-1 ,,	0-13-50	
			211-4 ,,	0-02-50	
			हेक्ट.	2-66-00	

1	2	3	4	5	6
पूरब गोदावरि	रामचंद्रपुरम	बेकटायपालेम	193-4 भाग	0-02-50	
			„ 5 „	0-02-00	
			„ 6 „	0-11-50	
			192-2 „	0-02-50	
			„ 3 „	0-00-50	
			194-1 „	0-31-00	
			„ 3 „	0-06-50	
			177-4 „	0-18-00	जि.पि.
			191-बी 1 „	0-05-50	
			190-बी 1 „	0-01-00	
			189-1 „	0-17-00	
			182-2 „	0-01-00	जि.पि.
			„ 3 „	0-09-50	
			„ 4 „	0-00-50	
			179-2 „	0-05-00	
			„ 4 „	0-03-00	
			„ 5 „	0-04-50	
			„ 6 „	0-05-00	
			180-1 „	0-01-00	
			„ 2 „	0-03-00	
			341-1 „	0-04-50	
			„ 2 „	0-08-00	
			„ 4 „	0-08-50	
			342- „	0-18-00	
			340-4 „	0-13-00	
			343-1 „	0-01-00	
			338-2 „	0-09-00	
			„ 3 „	0-15-50	
			317- „	0-03-50	जि.पि.
			312- „	0-34-00	
			311-3 „	0-00-25	
			„ 5 „	0-02-00	
			„ 9 „	0-02-75	
			„ 10 „	0-01-00	
			„ 7 „	0-01-00	
			„ 8 „	0-08-00	
			310-1 „	0-09-00	
			306-2 „	0-08-00	
			307-1 „	0-08-00	
			304-2 „	0-03-50	
			„ 5 „	0-20-50	
			„ 8 „	0-04-50	
			कुल हेक्टे.	5-80-00	या एकड़ 14.33 सेंटेस
					[सं एल-14016/12/93 जी. पी.]
					अर्धेन्दु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2548 :—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2610 dated 4-12-93 under sub-section (I) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE

FOR SECTION —6(I) NOTIFICATION

GAS PIPE LINE PROJECT

Mandapeta-Kondalammacheruvu. (Vegayampeta)

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
1	2	3	4	5	6
East Godavari	Ramachandra- puram	Venkataya Palem	28—2 Part	0 19	50
			29—3 Part	0 06	50
			29—2 Part	0 06	00
			29—4 Part	0 07	00
			29—6 Part	0 05	00
			32—1 Part	0 08	00
			27—5 Part	0 05	50
			26—2 Part	0 24	50
			25 Part	0 38	00
			18—1 Part	0 02	00
			18—2 Part	0 15	50
			18—2 Part	0 04	00
			17—2 Part	0 01	50
			19—2 Part	0 03	00
			19—1 Part	0 19	50
			19—7 Part	0 30	50
			19—8 Part	0 18	50
			208—1 Part	0 14	50
			206—1 Part	0 21	00
			205—1 Part	0 13	50
			211 Part	0 02	50
				2 66	00

1	2	3	4	5	6
East Godavari	Rama Chandra Puram	Venkataya Palem	193—4 Part	0 02	50
			193—5 Part	0 02	00
			193—6 Part	0 11	50
			192—2 Part	0 02	50
			192—3 Part	0 00	50
			194—1 aPart	0 31	00
			194—3 Part	0 06	50
			477 Part	0 18	00 G P
			191/B 1 Part	0 05	50
			190/B 1 Part	0 01	00 G P
			15		
			189—A Part	0 17	00
			182—2 Part	0 01	00 G P.
			182—3 Part	0 09	50
			182—4 Part	0 00	50
			179—2 Part	0 05	00
			179—4 Part	0 03	00
			179—5 Part	0 04	50
			179—6 Part	0 05	00
			180—1 Part	0 01	00
			180—2 Part	0 03	00
			341—1 Part	0 04	50
			341—2 Part	0 08	00
			341—4 Part	0 08	50
			Total	1 51	50
East Godavari	Ramachandra-Puram	Venkataya Palem	342 Part	0 18	00
			340 4 Part	0 13	00
			343—1 Part	0 01	00
			338—2 Part	0 09	00
			338—3 Part	0 15	50
			317 Part	0 03	50 G P
			312 Part	0 34	00
			311—3 Part	0 00	25
			311—5 Part	0 02	00
			311—9 Part	0 02	75
			311—10 Part	0 01	00
			311—7 Part	0 01	00
			311—8 Part	0 08	00
			310—1 Part	0 09	00
			306—2 Part	0 08	00
			307—1 Part	0 08	00
			304—2 Part	0 03	50
			334—5 Part	0 20	50
			304—8 Part	0 04	50
			Total	1 62	50
			Page—1	2 66	00
			Page—2	1 51	50
			Total	5 80	00
				OR	
			AC	0 14	33 Cents

नई दिल्ली, 12 सितम्बर, 1994

का.आ. 2549.—पेट्रोलियम और खनिज पाईप लाईन (भूमि के उपयोग के अधिकार का अग्रज) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. 2611 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है की इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूचि परिच्छेद 6(1) विज्ञप्ति

गैस पाईप लाईन प्रोजेक्ट

मंडपेट—कोन्डालम्म

चेरुकु

(वेगयम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे एकड़ में)	विवरण
पूरुब गोदावरी	रामचन्द्रपुरम	बेलम्पालेम	45-1 भाग	0-08-50	जि.पि.
			„ 2ए „	0-07-50	
			„ 2बी „	0-00-50	
			47-1 „	0-05-00	
			„ 2 „	0-05-50	
			„ 3 „	0-08-00	
			48-1ए „	0-01-00	
			„ 1बी „	0-13-00	
			49- „	0-67-00	
			76- „	0-03-50	
			78-5 „	0-14-00	
			„ 6 „	0-00-50	
			80-1 „	0-09-50	
			„ 5 „	0-09-50	
			81-1 „	0-14-50	
			„ 2 „	0-06-00	
			„ 4 „	0-04-50	
			82- „	0-03-00	
			105-1 „	0-16-50	
			107-2 „	0-00-25	
			„ 3 „	0-05-50	
			106-3 „	0-01-50	
			„ 2 „	0-01-00	
हेक्टे.				2-05-75	

1	2	3	4	5	6
पूरब गोदावरि	रामचन्द्रपुरम	बेलंपालेम	108- भाग	0-04-50	जि.पि.
			109-3	0-00-50	जि.पि.
			,, 4	0-07-50	
			111-	0-43-00	
			606-	0-49-00	
			605-1	0-08-50	
			583-4	0-02-00	
			,, 3	0-09-50	
			584-6	0-11-50	
			,, 7	0-11-00	
			585-1	0-01-50	
			,, 2	0-00-25	
			,, 3	0-14-50	
			586-1	0-04-50	
			587-1	0-06-00	
			,, 2	0-15-00	
			,, 3	0-09-00	
			579-3	0-03-00	
			,, 4	0-09-50	
			हेक्टे.	2-10-25	
			प्रथम पेज	2-05-75	
				4-16-00	या एकड़ 10.28 सेंटीयर
					[सं. एल.-14016/12/93-जी. पी.]
					अर्थोन्कु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2549 :— Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2611 dated 4-12-93 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, Therefore, in exercise of the powers conferred by sub-section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE FOR SECTION 6(1) NOTIFICATIONS

GAS PIPE LINE PROJECT

Mandapeta—Kondalamma Cheruvu (Vegayammapeta)

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)		Remarks
1	2	3	4	5		6
East Godavari	Ramachandra- puram	Velampuram	45—1 Part	0	08	50
			45—2A Part	0	07	50
			45—2B Part	0	00	50
			47—1 Part	0	05	00
			47—2 Part	0	05	50
			45—3 Part	0	08	00
			48—1A Part	0	01	00
			48—1B Part	0	13	00
			49 Part	0	67	00
			76— Part	0	03	50
			78—5 Part	0	14	00
			78—6 Part	0	00	50
			80—1 Part	0	09	50
			80—5 Part	0	09	50
			81—1 Part	0	14	50
			81—2 Part	0	06	00
			81—4 Part	0	04	50
			82 Part	0	03	00
			105—1 Part	0	16	50
			107—2 Part	0	00	25
			107—3 Part	0	05	50
			106—1 Part	0	01	50
			106—2 Part	0	01	00
					6	
			Total	2	05	75
			108 Part	0	04	50
			109—3 Part	0	00	50
			109—4 Part	0	07	50
			111 Part	0	43	00
			606 Part	0	49	00
			605—1 Part	0	08	50
			583—4 Part	0	02	00
			583—3 Part	0	09	50
			584—6 Part	0	11	50
			584—7 Part	0	11	00
			585—1 Part	0	01	50
			585 2 Part	0	00	25
			585—3 Part	0	14	50
			586 Part	0	04	50
			587—1 Part	0	06	00
			587—2 Part	0	15	00
			587—3 Part	0	09	00
			577—3 Part	0	03	00
			577—4 Part	0	09	50
			Total	2	10	25
			1 Page Total	22	05	75
				4	16	00

OR

AC 10 28 Cents.

[No. L-14016/12/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 12 सितम्बर 1994

का०आ० 2550 :—पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. 2612 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन विछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड राजामुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

परिच्छेद विज्ञप्ति

गैस पाइप लाईन प्रोजेक्ट

मन्डपेट-कोन्डालम्म चेरवू (वेगयम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं. (एकड़ में)	क्षेत्रफल हेक्टे/ (एकड़ में)	विवरण
1	2	3	4	5	6
पूरुब गोदावरी	रायवरम्	कुरकाल्लपल्लि	17-2 ए भाग	0.07.50	
			„ 2 बी „	0.13.50	
			„ 3 „	0.13.00	
			16-1 „	0.11.50	
			2 „	0.03.50	
			15-2 ए „	0.18.50	
			„ 2 बी „	0.04.00	
			„ 2 सी „	0.04.50	
			11 „	0.02.00	
			12-1 „	0.23.00	
			35 „	0.04.00	
			36-1 „	0.05.00	
			„ 2 „	0.05.50	
			„ 3 „	0.05.00	
			„ 5 ए „	0.00.50	
			„ 5 बी „	0.01.00	
			39-4 बी „	0.08.50	
			37-4 „	0.08.00	
			„ 5 बी „	0.26.50	
			55-8 „	0.09.00	
			„ 6 बी „	0.10.00	
			„ 7 सी „	0.00.25	
			9 ए „	0.04.50	
			9 बी „	0.06.50	
			हेक्टे.	1.95.25	

1	2	3	4	5	6
पूरब गोदावरि	रायवरम	कुरकाप्लपलि	57-3 भाग	0.02.00	
			„ 2 ई „	0.04.00	
			„ 3 „	0.01.00	
			„ 4 „	0.08.50	
			58-1 „	0.03.00	
			„ 2 „	0.09.50	
			„ 3 „	0.02.00	
			„ 7 ए „	0.02.00	
			„ 7 बी „	0.16.00	
			70-5 ए „	0.05.50	
			„ 5 बी „	0.08.00	
			„ 5 सी „	0.17.50	
			74 „	0.05.50	
			71-2 बी „	0.14.00	
			72 „	0.05.00	
			हेक्टे.	1.03.50	
			भाग एक योग	1.95.25	
			हेक्टे.	2.98.75	
			या		
			ए०सी०	7.37½ सेंट्स	

[सं. एल-14016/12/93-जी.पी.]

अर्थोन्वु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2550 :—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2612 dated 4-12-93 under sub-section (i) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (i) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And Further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE
FOR SECTION 6(i) NOTIFICATION
GAS PIPE LINE PROJECT

MANDAPETA—KONDALAMMA CHERUVU (VEGAYAMMAPETA)

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks			
1	2	3	4	5	6			
East Godavari	Rayavaram	Kurakallapalli	17—2A Part	0 07	50			
			17—2B Part	0 13	50			
			17—3 Part	0 13	00			
			16—1 Part	0 11	50			
			16—2 Part	0 03	50			
			15—2A Part	0 18	50			
			15—2B Part	0 04	00			
			15—2C Part	0 04	50			
			11— Part	0 02	00			
			12—1 Part	0 23	00			
			35— Part	0 04	00			
			36—1 Part	0 05	00			
			36—2 Part	0 05	50			
			36—3 Part	0 05	00			
			36—5A Part	0 00	50			
			36—5B Part	0 01	00			
			39—4B Part	0 08	50			
			37—4 Part	0 08	00			
			37—5B Part	0 26	50			
			55—8 Part	0 09	00			
			55—6B Part	0 10	00			
			55—7C Part	0 00	25			
			55—9A Part	0 04	50			
			55—9B Part	0 06	50			
			57—3 Part	0 02	00			
			57—2E Part	0 04	00			
			57—3 Part	0 01	00			
			57—4 Part	0 08	50			
			58—1 Part	0 03	00			
			58—2 Part	0 09	50			
			58—3 Part	0 02	00			
			58—7A Part	0 02	00			
			58—7B Part	0 16	00			
			70—5A— Part	0 05	50			
			70—5B Part	0 08	00			
			70—5C Part	0 17	50			
			74—Part	0 05	50			
			71—2B Part	0 14	00			
			72—Part	0 05	00			
						Total	2 98	75
						HEC	(OR)	
						AC	7.37½	
					G.P.			

[No. L-14016/12/93-G.P.]

ARDHENDU SEN, Director.

नई दिल्ली, 12 सितम्बर, 1994

का. आ. 2551.—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरेसायन विभाग की अधिसूचना का.आ. 2613 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

परिच्छेद 6(1) विज्ञप्ति

गैस पाइप लाइन प्रोजेक्ट मन्डपेट—कोन्डालम्म चेंब (वेगयम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
1	2	3	4	5	6
पूरुब गोदावरि	कपिलेश्वर पुरम	कालेरु	175- भाग	0-27-00	जि . पि.
			194- "	0-06-00	
			176-1 "	0-07-50	
			2 ,	0-06-50	
			3 "	0-06-50	
			5 "	0-10-00	
			182-3 "	0-18-50	
			183-1 "	0-23-00	
			188- "	0-26-00	
			254-1 "	0-11-50	
			" 3 "	0-05-50	
			258-2 "	0-24-00	
			259-1 "	0-10-00	
			" 2 "	0-11-50	
			" 3 "	0-02-00	
			260- "	0-11-50	
			261-2 "	0-11-50	
			" 3 "	0-11-00	
			262-1 "	0-01-00	जि.पि.
			2 "	0-03-50	
			269- "	0-19-50	
			270-6 "	0-09-00	
			" 7 "	0-13-50	
			274-1 "	0-11-00	
			" 2 "	0-10-50	
हेक्टे.				2-98-00	

1	2	3	4	5	6
पूरब गोदावरि	कपिलेश्वरपुरम	कोलेर	279-1 भाग	0-23-50	
			" 2 "	0-02-50	
			280 "	0-31-50	
			278-2 "	0-00-50	
			" 8 "	0-00-50	
			284-1 "	0-12-00	
			" 2 "	0-02-00	
			" 3 "	0-02-00	
			" 4 "	0-04-00	
			289-	0-05-00	जि.पि
			288-	0-01-50	जि.पि.
			300-1 "	0-00-50	
			" 2 "	0-11-00	
			" 3 "	0-14-00	
			301 1 "	0-10-50	
			" 2 "	0-10-00	
			302-1 "	0-05-00	
			" 2 "	0-05-00	
			" 3 "	0-05-00	
			" 4 "	0-05-00	
			" 5 "	0-02-00	
			" 6 "	0-00-50	
			303-1 "	0-05-00	जि. पि.
			" 2 "	0-01-00	जि. पि.
			हेक्टे.	1-59-50	
			प्रथम पेज	2-98-00	
			हेक्टे.	4-57-50 या एककड 11.30 सेंट्स	

[सं. एल-14016/12/93-जी. पी.]

अधेन्दु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2551.— Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2613 dated 4-12-93 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipelines.

And whereas the Competent Authority has under sub-section(1) of section 6 of the said Act, submitted report to the Government

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE

For section 6-(1) Notification

Part No. I

GAS PIPE LINE PROJECT

MANDAPETA—KONDALAMMA CHERUVU (Vegayammampeta)

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
1	2	3	4	5	6
East Godavari	Kapileswarapuram	Kaleru	175-Part	0-27-50	G.P.
			194-Part	0-06-00	
			176-1 Part	0-07-50	
			— 2 Part	0-06-50	
			— 3 Part	0-06-50	
			— 5 Part	0-10-00	
			182-3 Part	0-18-50	
			183-1 Part	0-23-00	
			188 Part	0-26-00	
			254-1 Part	0-11-50	
			— 3 Part	0-05-50	
			258-2 Part	0-24-00	
			259-1 Part	0-10-00	
			— 2 Part	0-11-50	
			— 3 Part	0-02-00	
			260 Part	0-11-50	
			261-2 Part	0-11-50	
			— 3 Part	0-11-00	
			262-1 Part	0-01-00	G.P.
			— 2 Part	0-03-50	
			269 Part	0-19-50	G.P.
			270-6 Part	0-09-00	
			— 7 Part	0-13-50	
			274-1 Part	0-11-00	
			— 2 Part	0-10-50	
			Hact	2-98-00	Areas
			279-1 Part	0-23-50	G.P.
			— 2 Part	0-02-50	
			280 Part	0-31-50	
			278-2 Part	0-00-50	
			— 8 Part	0-00-50	
			284-1 Part	0-12-00	
			— 2 Part	0-02-00	
			— 3 Part	0-02-00	
			— 4 Part	0-04-00	
			289 Part	0-05-00	
			288 Part	0-01-50	
			300-1 Part	0-00-50	
			— 2 Part	0-11-00	
			— 3 Part	0-14-00	
			301-1 Part	0-10-50	
			— 2 Part	0-10-00	
			302-1 Part	0-05-00	
			— 2 Part	0-05-00	
			— 3 Part	0-05-00	
			— 4 Part	0-05-00	
			— 5 Part	0-02-00	
			— 6 Part	0-00-50	
			303-1 Part	0-05-00	G.P.
			— 2 Part	0-01-00	
				1-59-50	
1 st page				2-98-00	
Hect				4-57-50	OR Ac 11-30 Cents.

[No. L-14016/12/93—G.P.]

A CHENDU SEN, Director.

नई दिल्ली, 12 सितम्बर, 1994

का.आ. 2552.—पेट्रोलियम और खनिज पाईप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. 2614 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आग्रह घोषित किया था।

यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

परिच्छेद 6 (i) विज्ञप्ति

गैस पाईप लाइन प्रोजेक्ट

मंडपेट—कोन्हालम्प चरुवु

(वेगयम्पेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकर में)	विवरण
1	2	3	4	5	6
पूरुव गोदावरी	कपिलेश्वरपुरम	नल्लुरु	73—	भाग	0-17-00
			72—	„	0-13-50
			71—	„	0-19-00
			69-1	„	0-13-50
			„ 3	„	0-07-50
			„ 5	„	0-10-00
			67-4	„	0-01-00 जि.पि.
			67 5	„	0-03-50
			68—	„	0-02-00 जि.पि.
			65-5	„	0-12-00
			„ 6	„	0-09-50
			64-1	„	0-07-50
			„ 3	„	0-07-00
			„ 4	„	0-06-00
			„ 6	„	0-06-50
			86-2	„	0-03-00
			87-1	„	0-15-50
			„ 5	„	0-03-00
			88-3	„	0-07-00
			88-4	„	0-09-00
			„ 5	„	0-10-00

1	2	3	4	5	6
पूरवगोदावरि	कपिलेश्वरपुरम	नल्लूरु	90-1 भाग	0-02-50	
			89- "	0-02-50	जि.पि.
			118-2 "	0-10-50	
			" 3 "	0-09-50	
			" 4 "	0-12-50	
			117- "	0-14-00	
			109-1 "	0-01-50	
			" 2 "	0-11-00	
			111-2 "	0-08-00	
			" 3 "	0-03-50	
			" 4 "	0-13-50	
			112-2 "	0-05-50	
			" 4 "	0-11-50	
			114-1 "	0-13-00	
			" 3 "	0-10-50	
			" 4 "	0-01-00	जि. पि.
			113-2 "	0-00-50	
			" 3 "	0-01-00	जि.पि.
			160-2 "	0-08-00	
			161 भाग "	0-12-00	जि. पि.
			175 बी "	0-01-00	"
			" 4 "	0-01-00	"
			176 1ए "	0-00-50	"
			" 1 बी "	0-10-50	
			" 2 "	0-01-50	
			" 3 "	0-09-50	
			177-1 "	0-18-50	
			" 2 "	0-11-50	
			178-1 "	0-16-00	
			" 3 "	0-04-50	
			180-1 "	0-08-50	
			" 2 "	0-06-00	
			" 3 "	0-08-00	
			" 4 "	0-07-50	
			182-1 "	0-05-50	
			182-2 भाग	0-07-00	
			183- "	0-06-50	जि.पि.
			184-1ए "	0-02-00	जि. पि.
			" 1बी "	0-12-00	
			" 3 "	0-00-50	
			185- "	0-01-50	
			170-11 "	0-00-50	जि.पि.
			योग	4-75-00	

[स. एल-14016/12/93-जी. पो.]

अर्चंदु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2552:—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2614 dated 4-12-93 under sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act. 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE

(Section 6(I) Notification)

GAS PIPE LINE PROJECT

MANDAPETA—KONDALAMMCHERUEU VEGAYAMMUPETA)

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)			Remarks
1	2	3	4	5			6
East Godavari	Kapileswara Puram.	Nalleru	73—Part	0	17	00	G.P. <

1	2	3	4	5	6
East Godawari	Kapilesvara Puram	Nalleru	90—1 Part	0 02 50	
			89—Part	0 02 50	G.P.
			118—2 Part	0 10 50	
			— 3 Part	0 09 50	
			— 4 Part	0 12 50	
			117 Part	0 14 00	
			109—1 Part	0 01 50	
			— 2 Part	0 11 00	
			111—2 Part	0 08 00	
			— 3 Part	0 03 50	
			— 4 Part	0 13 50	
			112—2 Part	0 05 50	
			— 4 Part	0 11 50	
			114— 1 Part	0 13 00	
			—3 Part	0 10 50	
			—4 Part	0 01 00	G.P.
			113—2 Part	0 00 50	
			— 3 Part	0 01 00	G.P.
			160—2 Part	0 08 00	
Total				1 40 00	

	161-Part	0	12	00	G.P.
	175-1B/1 part	0	01	00	G.P.
	—4 Part	0	01	00	G.P.
	176-1A Part	0	00	50	G.P.
	—1B „	0	10	50	
	—2 „	0	01	50	
	—3 „	0	09	50	
	177—1Part	0	18	50	
	—2 „	0	11	50	
i	178-1Part	0	16	00	
	—3,,	0	04	50	
	180-1 Part	0	08	50	
	—2 „	0	06	00	
	—3 „	0	08	00	
	—4 „	0	07	50	
	182-1Part	0	05	50	
	—2 „	0	07	00	
	183-Part	0	06	50	G.P.
	184-1A Part	0	02	00	
	184—1B ,	0	12	00	
	—3 „	0	00	50	
	185-Part	0	01	50	G.P.
	170-11 Part	0	00	50	GP.
	III Total	1	52	00	
	1st Total	1	83	00	
	IInd Total	1	40	00	
<hr/>					
	Grand Total	4	75	00	

[No. L-14016/12/93-GP.]

ARDHENDU SEN, Director.

नई दिल्ली, 12 मिनम्बर, 1994

का.आ. 2553.—पेट्रोलियम और खनिज पाईप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग संवायन, रसायन और पेट्रोसमायन विभाग की अधिसूचना का.आ. 2615 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आणव्य घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैम अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुद्रा में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

[अनुसूची परिच्छेद 6(1) विज्ञप्ति]

गैम पाइप लाइन प्रोजेक्ट

मन्डोद-कोन्डालम्ब चेसबु (वेगयम्पेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/ एकड़ में)	विवरण		
पूरब गोवावरि	कपिलेश्वरपुरम	वेतुरुम्डि	65-1	भाग	0-10-50		
			66-	„	0-20-50		
			67-1	„	0-24-50		
			„ 2	„	0-20-50		
			68-	„	0-07-00		
			62-1	„	0-01-00	जि.पि.	
			„ 2	„	0-01-00	जि.पि.	
			70-1	„	0-07-00		
			„ 2	„	0-01-00		
			„ 4	„	0-01-50		
			61-6	„	0-01-50		
			„ 7	„	0-01-25		
			71-1	„	0-13-50		
			60-3	„	0-04-00		
			„ 4	„	0-05-50		
			„ 6	„	0-05-50		
			„ 7	„	0-02-50	जि.पि.	
			हेक्टे.				1-28-25
			या				
			एकड़				3-16 1/2 से.दुप

[सं.एल-14016/12/93-जी.पी.]

अर्थोन्वु मेन, निर्देशक

New Delhi, the 12th September, 1994

S.O. 2553:—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 21615 dated 4-12-93 under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And Whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India limited free from all encumbrances.

SCHEDULE

[Section 6 (1) Notification]

Gas Pipeline Project.

MANDAPETA—KONDALAMMA CHERUVV—VEGAYAMMAPETA

District	Mandal	Village	Survey No.	Area (In Hect/Acres)		Remarks
East Godavari	Kapileswara puram	Vedurumudi	65-Part	0	10	50
			66-Part	0	20	50
			67-1Part	0	24	50
			„-2nd Part	0	20	50
			68-Part	0	07	00
			62-1Part	0	01	00 G.P.
			„-2 Part	0	01	00 G.P.
			70-1Part	0	07	00
			„-2 Part	0	01	00
			„-4 Part	0	01	50
			61-6 Part	0	01	50
			„-7 Part	0	01	25
			71-1 Part	0	13	50
			60-3 Part	0	04	00
			„-4 Pt.	0	05	00
			„-6 Pt.	0	05	50
			„-7 Part	0	02	50
Hec				1	28	25
Or AC				3	16	1/2 cents

[No. L-14016/12/93-G.P.]
ARDHENDUSEN, Director

नई दिल्ली, 12 सितम्बर, 1994

का.प्र. 2554 .—पेट्रोलियम और खनिज पाइप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.प्र. 2616 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजामुन्त्री में सभी बाधाओं से मुक्त रूप में शीघ्रता के प्रकाशन की तारीख से निहित होगा।

अनुसूची परिच्छेद 6(1) विमति

गैस पाइप लाइन प्रोजेक्ट

मन्चपेट—कोन्हालम्ब चेन्नू (वेगयम्पेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/ एकड़ में)
पूरुष गोदावरी	कपिलेश्वरपुरम	अन्नार	17-2 भाग	0-16-50
			17-5 „	0-00-50
			9-2 „	0-36-00
			10-5 „	0-15-00
			12-1 „	0-08-00
			12-2 „	0-07-00
			12-3 „	0-18-50
			12-4 „	0-04-00
			12-5 „	0-01-50
			हेक्टे.	1-07-00 या 2.65 एकड़

[सं. एल-14016/12/93-जी. पी.]
अर्धेन्दु सेन, निदेशक

New Delhi, the 12th September, 1994

S.O. 2554.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2616 dated 4-12-93 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (i) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

Schedule for Section 6(1) Notification

GAS PIPE LINE PROJECT

Man Dapela Kondalamma Cheruvu (Vegayampeta)

District	Mandal	Village	Survey Nos.	Area (in Hect/ acres)	Remarks
East Godavari	Kapileswarapuram	Angara	17-2 part	0.16.50	
			17-5 part	0.16.50	
			9-2 part	0.36.00	
			10-5 part	0.15.00	
			12-1 part	0.08.00	
			12-2 part	0.07.00	
			12-3 part	0.18.00	
			12-4 part	0.04.00	
			12-5 Part	0.01.50	
			Ha	1.07.00 Or AC 2.65 Acre	

[No. L-14016/12/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली 12 सितम्बर, 1994

का. आ. 2555. पेट्रोलियम और खनिज पाइप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय रसायन और पेट्रोलियम रसायन विभाग की अधिसूचना का. आ. 2617 तारीख 4-12-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्पित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 3 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड राजमुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची परिच्छेद 6(1) विज्ञप्ति

गैस पाइप लाइन प्रोजेक्ट

मन्डपेट—कोन्डालम्प चेरुवु (वैगयम्पेट)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्ट/ एकड़ में)	विवरण
पूरुब गोदावरी	आलमूरु	थिनपल्लू	35-4 भाग	0.15.00	
			35-5-भाग	0.10.50	
			66-1-भाग	0.05.50	

जनपद	तहसील	ग्राम	सर्वे नं.	(क्षेत्रफल हेक्टे/एकड़ में)	विवरण
			66-2,,	0.11.50	
			65-,,	0.30.50	
			63-2,,	0.15.50	
			60-1-,,	0.14.00	
			60-5-,,	0.05.50	
			59-1-,,	0.02.00	
			59-2-,,	0.08.00	
			58-1-,,	0.00.50	
			58-2-,,	0.12.00	
			58- 4	0-02-50	जि.पि.
			56-3,,	0-18.00	
			,,-4-,, . .	0.06.50	
			55-2 ए -,,	0.07.00	
			55-2 बी	0.03.50	
			55-2 सी ,,	0.11.00	
			53-1ए-,,	0.07.50	
			53-1बी -,,	0-03-00	
			53- 2-,,	0.08.00	
			53- -,,	0.11.50	
			50-1ए -,,	0.05.50	
			50-1 बी	0.05.50	
			50-3ए-,,	0.07.50	
			50 -3बी	0.09.00	
			50-4 ,,	0.14.50	
			50-5 ,,	0.03.00	
			हेक्टे	2.52.00	जि.पि. 6.23

[सं.एल-14016/12/93-जी.पी.-]

अधेन्दु सेन विदेशक

New Delhi, the 12th September, 1994

S. O.2555 . Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2617 dated 4-12-93 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, declared to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government direct that the right of user in the said land shall instead of vesting in Central Government vest on this date of the public on of this declaration the Gas Authority of India Limited free from all encumbrances.

Schedule for Section 6(1) Notification

GAS PIPE LINE PROJECT

Mandapela—Kordalamma Cheruvu (Vegayammampela)

District	Mandal	Village	Survey Nos.	Area (In Hect./Acres)	Remarks
East Godavari	A Lamuru	Pinapalla	35-4 part	0.15.00	G.P.
			35 5 part	0.10.50	
			66-1 part	0.05.50	
			66-2 part	0.11.50	
			65 part	0.30.50	
			63-2 part	0.15.50	
			60-1 part	0.14.00	
			60-5 part	0.05.50	
			59-1 part	0.02.00	
			59-2 part	0.08.00	
			58-1 part	0.00.50	
			58-2 part	0.12.00	
			58-4 part	0.02.50	
			56-3 part	0.18.00	
			56-4 part	0.6.500	
			55-2A part	0.07.00	
			55-2B part	0.03.50	
			55-2C part	0.11.00	
			53-1A part	0.07.50	
			1B part	0.03.00	
			2 part	0.08.00	
			3 part	0.11.50	
			50-1A part	0.05.50	
			1B part	0.03.50	
			3A part	0.07.50	
			3B part	0.09.00	
			4 part	0.14.50	
			5 part	0.03.00	
Total			2.52.00 OR AC 6.23 Cents.		

[No. L-14016/12/93-GP]
ARDHENDU SEN, Director

नई दिल्ली, 12 सितम्बर, 1994

का. आ. 2556—पेट्रोलियम और खनिज पदार्थ लाईन (भूमि के उपयोग के अधिकार का ग्रन्थन) अधिनियम, 1962 (1962 का 50) द्वारा की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोलियम की अधिसूचना का आ. 2618 तारीख 4-12-1993 द्वारा भारत सरकार ने उस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्राप्त अधिकार का प्रयोग करते हुए भारत सरकार निम्नलिखित है कि उक्त भूमियों के अधिकार, भारत सरकार निहित होने से बचाय गैस अधारिटी आफ इंडिया लिमिटेड, राजामुद्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची परिच्छेद 6(1) विरूपित

गैस पाइप लाइन प्रोजेक्ट

माडपेट — कोन्डावम्म चेन्नू (वैगयम्मपेट)

जनपद	तहसील	ग्राम	सर्वे नं. (हेक्टे एकड़ में)	क्षेत्रफल	विवरण		
पूरुब गोदावरी	आलमरु	पेदुपल्ला	26-1-3-भाग	0.07.50	जी.पी.		
			30-1-,,	0.03.00			
			30-2 सी -,,	0.03.00			
			27-1,,	0.00.50			
			27-2ए1	0.13.50			
			27-2 बी भाग	0.10.00			
			28-1-,,	0.10.50			
			28-2 -,,	0.03.50			
			22 बी भाग	0.01.00			
			28-3-,,	0.06.50			
			28 4-,,	0.01.00			
			37-1बी-,,	0.01.00			
			37-2-,,	0.03.50			
			37-3ए-,,	0.07.50			
			73-4-,,	0.07.00			
			5ए-,,	0.07.00			
			38-,,	0.04.00			
			56-,,	0.24.00			
			55-,,	0.14.50			
			54-1-,,	0.07.50			
			54-2ए	0.06.50			
			54-2 बी	0.07.50			
			3-बी ,,	0.01.00			
			3ए	0.02.50			
			4-,,	0.06.00			
			53-1,,	0.15.50			
			52-1-,,	0.02.00			
			52,,-2- भाग	0.02.00		जी.पी.	
			कुल हेक्टे			1-78-50	

[सं. एफ. 14016/12/92-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 12th September, 1994

S O 2556—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2618 dated 4-12-93 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act) 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that Notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declare the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of section the Central Government directs that the right of user in the said land shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SCHEDULE FOR SECTION 6(1) NOTIFICATION

GAS PIPE LINE PROJECT

Mandapeta-Kondalamma Cheruvu (Vegayammapeta)

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks			
East Godavari	Alamuru	Peddapalla	26-1 part	0.07.50	G.P.			
			30-1- part	0.03.00				
			30-2C part	0.03.00				
			27-1 part	0.00.50	G.P.			
			27-2A1 part	0.13.50				
			27-2B part	0.10.00				
			28-1 part	0.10.50				
			28-2A part	0.03.50				
			28-2B part	0.01.00				
			28-3 part	0.06.50				
			28-4 part	0.01.00				
			37-1B part	0.01.00				
			37-2 part	0.03.50				
			37-3A part	0.07.00				
			37-4 part	0.07.00				
			37-5A part	0.07.00				
			38-Part	0.04.00				
			56-Part	0.24.00				
			55-Part	0.14.50				
			54-1 part	0.07.50				
			54-2A part	0.06.50				
			54-2B part	0.07.50				
			54-3B part	0.01.00				
			54-3A part	0.02.50				
			54-4 part	0.06.00				
			53-1 part	0.15.50				
			52-1 part	0.02.00				
			52-2 part	0.02.00	G.P.			
			Total Hect				1.78-50 (OR) AC 4.41 Cents	

[No. L-14016/12/93-GP]
ARDHENDU SEN, Director

नई दिल्ली, 12 सितम्बर, 1994

का. भा.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र में भारत पेट्रोलियम कार्पोरेशन राज्य लिमिटेड, माहुल, मुम्बई की परिकरणी से मनमाड तक मोटर स्प्रिट, उच्च कोटि केरोमिन तेल और उच्च गति डीजल का परिवहन करने के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा पाइप लाइन बिछाई जाए;

और ऐसा प्रतीत होता है कि ऐसी पाइप लाइन बिछाए जाने के प्रयोजन के लिए यह आवश्यक है कि इससे उपाबद्ध अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन किया जाए;

अतः, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि से हितवन् कोई व्यक्ति उस तारीख से, जिसकी इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ जनता को उपलब्ध करा दी जाती हैं, 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइप लाइन बिछाने के संबंध में धाक्षेप लिखित रूप में श्री ए. एन. देशपांडे, सक्षम प्राधिकारी, मुम्बई-मनमाड पाइप लाइन परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, बसंत मार्केट, कोनडा कौर्नर, तामिक (महाराष्ट्र) पिन कोड-422002 को कर सकेगा।

अनुसूची

तहसील : ईगनपुरी जिला: तामिक राज्य : महाराष्ट्र

गांव का नाम सर्वे नं./प्लॉट नं.

क्षेत्र हेक्टेयर आरे सेंटी आरे

1	2	3	4	5
धमनगांव	787	0	42	65
	786	0	32	62
	785	0	43	17
	737	0	15	30
	739	0	30	87
	774	0	13	52
	773	0	03	80
	772	0	36	46
	771	0	01	32
	770	0	15	72
	756	0	43	90
	764	0	07	70
	769	0	18	00
	767	0	11	77
	766	0	00	75
	829	0	22	04
	830	0	17	25
	828	0	09	27

1	2	3	4	5
837	0	38	50	
834	0	22	30	
844	0	26	50	
465	0	28	75	
463	0	00	80	
460	0	19	13	
416	0	23	70	
415	0	77	10	
1323	0	14	80	
413	0	06	30	
411	0	07	50	
419	0	57	15	
332	0	12	56	
333	0	53	39	
335	0	32	00	
321	0	51	00	
315	0	03	00	
313	0	02	00	
312	0	03	00	
298	0	16	00	
310	0	32	00	
305	0	12	00	
245	0	10	00	
246	0	09	00	
247	0	09	00	
253	0	02	00	
254	0	05	00	
258	0	18	00	
259	0	16	00	
252	0	02	00	
146	0	06	00	
151	0	05	00	
147	0	03	00	
152	0	03	00	
155	0	03	00	
156	0	03	00	
157	0	04	00	
158	0	11	00	
160	0	69	00	
173	0	01	00	
172	0	02	00	
171	0	02	00	
180	0	45	00	
179	0	39	00	
99	0	12	00	
103	0	54	00	
95	0	07	00	
96	0	07	00	
86	0	13	00	
85	0	31	00	
84	1	62	00	
542	0	34	00	
543	0	25	00	
551	0	43	00	

भारतीय खूबे

1	2	3	4	5	1	2	3	4	5
				ग्र					
कावाडरा	583	0	47	00	पिम्पलगांव धाढगा	233 पी	0	11	00
	595	0	24	00		234 पी	0	02	00
	593	0	18	00		225 पी	0	20	00
	592	0	09	00		224 पी	0	34	00
	622	0	28	00		223 पी	0	02	00
	621	0	01	00		215 पी	0	46	00
	624	0	27	00		216 पी	0	02	00
	626	0	09	00		217 पी	0	39	00
	508	0	58	00		151/ए/पी	0	06	00
	520	0	01	00		151/बी/पी	0	32	00
	517	0	03	00		160 पी	0	37	00
	518	0	08	00		163 पी	0	92	00
	521	0	03	00		164 पी	0	19	00
	477/डी	0	20	00		124 पी	0	40	00
	465	0	40	00		174 पी	0	19	00
	464	0	42	00		175 पी	0	23	00
	463	0	10	00					
	462	0	09	00		105 सी	0	28	10
	817	0	19	00		105/डी	0	48	30
	740	0	67	00		106/ए	0	26	10
	739	0	17	00		106/सी	0	14	55
	668	0	49	00		168/बी/पी	1	27	00
	679	0	30	00		162 पी	0	39	00
	680	0	07	00		154 पी	0	32	00
	677	0	01	00		153 पी	0	76	00
	681	0	71	00		151 पी	0	34	00
						150/बी/पी	0	33	00
	15६/बी	0	75	00		150/ए/पी	0	14	00
	159	0	15	00		149 पी	0	15	00
	157	0	02	50		143 पी	0	72	00
	87	0	80	00		141 पी	0	01	00
	88	0	12	00		140 पी	0	10	00
पिम्पलगांव धुकारा	11/1/पी	0	38	00		139 पी	0	13	00
	10 पी	0	57	00		2 पी	0	21	00
	9 पी	0	05	00		3 पी	0	21	00
	8 पी	0	01	00		4 पी	0	23	00
	27 पी	0	01	00		5 पी	0	36	00
	28 पी	0	06	00		31 पी	0	01	00
	29 पी	0	18	00		29 पी	0	01	00
	30 पी	0	20	00		7 पी	0	06	00
	31 पी	0	02	00		8 पी	0	09	00
	32 पी	0	03	00		9 पी	0	06	00
	37/1 पी	0	18	00		10 पी	0	06	00
	39 पी	0	04	00		11 पी	0	03	00
	40 पी	0	39	00		12 पी	0	01	00
	41 पी	0	40	00		13 पी	0	19	00
	42 पी	0	02	00		19 पी	0	17	00
	63 पी	0	09	00		18 पी	0	04	00
	238 पी	0	38	00		17 पी	0	00	00
	237 पी	0	16	00		16 पी	0	02	00
	230 पी	0	03	00					
	229 पी	0	08	00					
	228 पी	0	09	00					
	232 पी	0	18	00					

[फाइल सं. आर. 31015/4/94-ओ. आर-II]

ज. के. मयास, प्रवर सचिव

New Delhi, the 12th September, 1994.

S.O. 2557.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Motor spirit, Superior Kerosene Oil and High Speed Diesel from the Refinery of Bharat Petroleum Corporation Limited, Mahul, Bombay to Manmad in the State of Maharashtra, a pipeline should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Scheduled annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Scheduled may, within 21 days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri A.N. Deshpande Competent Authority, Bombay Manmad Pipeline Project Bharat Petroleum Corporation Limited, Vasant Market Canada Corner, Nasik, (Maharashtra); Pin Code 422002.

SCHEDULE

Tashil : Igatpuri District : Nasik State : Maharashtra.

Name of Village	Survey No. Gat. No.	Area		
		Hec- tars	Acre	Cent- tiare
1	2	3	4	5
Dhamangaon	787	0	42	65
	786	0	32	62
	785	0	43	17
	737	0	15	30
	739	0	30	87
	774	0	13	52
	773	0	03	80
	772	0	36	46
	771	0	01	32
	770	0	15	72
	756	0	43	90
	764	0	07	70
	769	0	18	00
	767	0	11	70
	766	0	00	75
	829	0	22	04
	830	0	17	25
	828	0	09	27
	837	0	38	50
	834	0	22	30
	844	0	26	50
	465	0	28	75
	463	0	00	50
	460	0	19	13
	416	0	23	70

1	2	3	4	5
Dhaman Gaon (Contd.)	415	0	77	10
	1323	0	14	80
	413	0	06	30
	411	0	07	50
	419	0	57	15
	332	0	12	56
	333	0	53	39
	335	0	32	00
	321	0	51	00
	315	0	01	00
	313	0	02	00
	312	0	03	00
	298	0	16	00
	310	0	32	00
	305	0	12	00
	245	0	10	00
	246	0	09	00
	247	0	09	00
	253	0	02	00
	254	0	05	00
	258	0	18	00
	259	0	16	00
	252	0	02	00
	146	0	06	00
	151	0	05	00
	147	0	03	00
	152	0	03	00
	155	0	03	00
	156	0	03	00
	157	0	04	00
	158	0	11	00
	160	0	69	00
	173	0	01	00
	172	0	02	00
	171	0	02	00
	180	0	45	00
	179	0	39	00
	99	0	12	00
	103	0	54	00
	95	0	07	00
	96	0	07	00
	86	0	13	00
	85	0	31	00
	84	1	62	00
Bharvir Khurd	542	0	34	00
	543	0	25	00
	551	0	43	00
	583	0	47	00
	595	0	24	00
	593	0	18	00
	592	0	09	00
	622	0	28	00
	621	0	01	00
	624	0	27	00
	626	0	09	00
	508	0	58	00
	520	0	01	00
	517	0	03	00
	518	0	08	00
	521	0	03	00
	477/D	0	20	00
	465	0	40	00

1	2	3	4	5	1	2	3	4	5
Bharvi Khurd	464	0	42	00	Pimpalgaon Dukara	217/P	0	39	00
	463	0	10	00	Contd.	151/A/P	0	06	00
	462	0	09	00		151/B/P	0	32	00
	817	0	19	00		160/P	0	37	00
	740	0	67	00		163/P	1	92	00
	739	0	17	00		164/P	0	19	00
	668	0	49	00		124/P	0	40	00
	679	0	30	00		174/P	0	19	00
	680	0	07	00		175/P	0	23	00
	677	0	01	00	Pimpalgaon Ghadga	105/C	0	28	10
	681	0	71	00		105/D	0	48	30
Kawaddara	159/B	0	75	00		106/A	0	26	00
	159/A	0	15	00		106/C	0	14	55
	157	0	02	00		168/B/P	1	27	00
	87	0	80	00		162/P	0	39	00
	88	0	12	00		154/P	0	32	00
Pimpalgaon Dukara	11/1/P	0	38	00		153/P	0	76	00
	10P	0	57	00		151/P	0	34	00
	9P	0	05	00		150/B/P	0	38	00
	8P	0	01	00		150/A/P	0	14	00
	27P	0	01	00		140	0	15	00
	28P	0	06	00		143/P	0	73	00
	29P	0	18	00		141/P	0	01	00
	30P	0	20	00		140/P	0	10	00
	31P	0	02	00		139/P	0	13	00
	32P	0	03	00		2/P	0	21	00
	37/1/P	0	18	00		3/P	0	21	00
	39P	0	04	00		4/P	0	23	00
	40P	0	39	00		5/P	0	36	00
	41P	0	40	00		31/P	0	01	00
	42P	0	02	00		29/P	0	01	00
	63P	0	09	00		7/P	0	06	00
	238P	0	38	00		8/P	0	09	00
	237P	0	16	00		9/P	0	06	00
	230P	0	03	00		10/P	0	06	00
	229P	0	08	00		11/P	0	03	00
	228P	0	09	00		12/P	0	01	00
	232P	0	18	00		13/P	0	19	00
	233P	0	11	00		19/P	0	17	00
	234P	0	02	00		18/P	0	04	00
	225/P	0	20	00		17/P	0	00	00
	224/P	0	34	00		16/P	0	03	00
	223/P	0	02	00					
	215/P	0	46	00					
	216/P	0	02	00					

[File No. R. -31015/4/94-OR-II]

J.K. MAYALL, Under Secy.

नई दिल्ली, 13 सितम्बर, 1994

का. आ. 2558.—पेट्रोलियम और खनिज पाइप लाईन (भूमि के उपयोग के अधिकार का अर्जन अधिनियम) 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का. आ. 901 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन बिछाने के प्रयोजन के लिए अर्जन करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बसाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निवेश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड नागापटनम में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

आवश्यक मंगलम जी जी एस से एम आर एल पनकुड़ी गैस पाइप लाइन रुट

जनपद	तहसील	तालुक	ग्राम	सर्वे नं.	हेक्टे	क्षेत्रफल एकड़ में	विवरण
तमिलनाडू	नागैकाइद मिल्लत	विश्वसिर	25—प्रगरकरड बनूर	243/2	0-06-0	0.15	
				427/1	0-01-0	0.02	
				429/2	0-10-5	0.26	
				429/3	0-00-5	0.01	
				429/4	0-05-0	0.12	
				180/3	0-02-0	0-05	
				180/4	0-11-0	0-27	
				31/1	0-07-0	0.17	
				31/2	0-05-5	0.14	
				31/3	0-06.5	0.16	
				31/4	0-03-0	0.08	
				30/3	0.00.5	0.01	
				32/2	0.03.0	0.08	
				32/3	0-10-0	0.25	
				22/1	0-09-0	0.22	
				22/32	0-00-5	0.01	
				24/1 बी	0-00-5	0-01	
				24/4	0-05-5	0.14	
				23/1	0-07.5	0.18	
				25/1	0-01-0	0.02	
				25/2	0-10-0	0.25	
				25/3	0-05-0	0.12	
				25/4	0-04-0	0.10	
				25/5	0-00-5	0.01	
				16/2	0-09-0	0.22	
				16/3	0-04-0	0.10	
				6/7बी	0-04-5	0.11	
				6/11	0-04-0	0.10	
				6/12	0-04-0	0.10	
				6/13	0-02-0	0.02	
				11/5 बी	0-05-5	0.14	
				11/6	0-03-5	0.09	
				12/1	0-00-5	0.1	
				12/2	0-04-5	0.11	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				12/3	0-04-5	0.04	
				10/3बी	0-03-5	0.09	
				10/3 सी	0-04-0	0.10	
				10/3डी	0.05.0	0.12	

[सं. एल-14016/8]93-जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 13th September, 1994

S.O. 2558 .—whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 901 dated 29-3-94 under Sub-Section (I) of Section of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this Notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-Section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

ADIYAKKAMANGALAM GGS TO MRL. PANANGUDI GAS PIPELINE ROUTE

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectares	In Acre Cent	
Tamil Nadu	Nagai Quaid-e-Milleth	Thiruvarur	25-Agarkaradam-banur	243/2	0.06.0	0.15	
				427/1	0.01.0	0.2	
				429/2	0.10.5	0.26	
				429/3	0.00.5	0.01	
				429/4	0.05.0	0.12	
				180/3	0.02.0	0.05	
				180/4	0.11.0	0.27	
				31/1	0.07.0	0.17	
				31/2	0.05.5	0.14	
				31/3	0.06.5	0.16	
				31/4	0.03.0	0.08	
				30/3	0.00.5	0.01	
				32/2	0.03.0	0.08	
				32/3	0.10.0	0.25	
				22/1	0.09.0	0.22	
				22/2	0.00.5	0.01	
				24/1B	0.00.5	0.01	
				24/4	0.05.5	0.14	

1	2	3	4	5	6	7
			23/1	0.07.5	0.18	
			25/1	0.01.0	0.02	
			25/2	0.10.0	0.25	
			25/3	0.05.0	0.12	
			25/4	00.4.0	0.10	
			25/5	0.00.5	0.01	
			16/2	0.09.0	0.22	
			16/3	0.04.0	0.10	
			6/7B	0.04.5	0.11	
			6/11	0.04.0	0.10	
			6/12	0.04.0	0.10	
			6/13	0.01.0	0.2	
			11/5B	0.05.5	0.14	
			11/6	0.03.5	0.09	
			12/1	0.00.5	0.01	
			12/2	0.04.5	0.11	
			12/3	0.01.5	0.04	
			10/3B	0.03.5	0.09	
			10/3C	0.04.0	0.10	
			10/3D	0.05.0	0.12	

[No. L-14016/8/93-GP.]

ARDHENDU SEN, Director

नई दिल्ली 13 सितम्बर, 1994

का. आ. 2559—पेट्रोलियम और खनिज पदार्थ लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का. आ. 902 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाईन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, नागापटनम में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

अडियक्क मंगलम जी जीएम. से एम आर एल पनंगुडी गैस पाइप लाईन रूट

जनपद	तहसील	तालुका	ग्राम	सर्वे. नं.	क्षेत्रफल		विवरण
					हेक्टेयर	एकड़ में	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
तमिलनाडु	नागार्कोईदमिल्लत	तिरुवारुर	24—खोहर	134/1	0.16.0	0.40	
				133/2	0-07-0	0.17	
				133/4ए	0-01-5	0.04	
				133/4बी	0-08-0	0.20	

1	2	3	4	5	6	7
			137/1	0-07-0	0.17	
			142/1	0-01-0	0.02	
			142/2ए	0-13-5	0.33	
			142/3	0-01-5	0.04	
			141/2	0-01-5	0.04	
			141/3	0-05-0	0.12	
			141/4	0-02-0	0.05	
			141/5	0-02-0	0.05	
			141/6	0-03-0	0.08	
			145/3	0-05-0	0.12	
			145/4	0-10-0	0.25	
			147	0-02-0	0.05	
			126/5ए	0-00-5	0.01	
			126/5बी	0-01-0	0.25	
			125/1	0-13-0	0.32	
			125/3 ए	0-01-5	0.04	
			122/2	0-09-0	0.22	
			121/3	0-17-0	0.42	
			178/1 ए	0-06-0	0.15	
			178/1बी	0-08-0	0.20	
			178/1सी	0-02-0	0.05	
			178/1डी	0-01-5	0.04	
			92/4	0-07-0	0.17	
			89/1ए	0-02-5	0.06	
			89/1 बी	0-06-5	0.16	
			89/2	0-07-0	0.17	
			90/3	0-05-05	0.14	
			90/4	0-04-0	0.10	
			88/1	0-01-0	0.02	
			85/2	0-07-0	0.17	
			85/3	0-05-0	0.12	

[सं. एल. 14016/8/93—जी पी.]

अधेन्द्रु मेन, निदेशक

New Delhi, the 13th September, 1994

S.O. 2559.—whereas by Notification of the Government of India in the Ministry of petroleum S.O. 902 Dated 29-3-94 under Sub-Section (I) of Section of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for purpose of paying pipe line.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Adiyakkamangalam GGS to M.R.L. Panangudi Gas Pipe Line Route.

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectares	in Acre Cent	
Tamil Nadu	Naga i-Quaid-e-Milleth	Tiruvarur	24-Kohoor	134/1	0.16.0	0.40	
				133/2	0.07.0	0.17	
				133/4A	0.01.5	0.04	
				133/4B	0.08.0	0.20	
				137/1	0.07.0	0.17	
				142/1	0.01.0	0.02	
				142/2A	0.13.5	0.33	
				142/3	0.01.5	0.04	
				141/2	0.01.5	0.04	
				141/3	0.05.0	0.12	
				141/4	0.02.0	0.05	
				141/5	0.02.0	0.05	
				141/6	0.03.0	0.08	
				145/3	0.05.0	0.12	
				145/4	0.10.0	0.25	
				147	0.02.0	0.05	
				126/5A	0.00.5	0.01	
				126/5B	0.10.0	0.25	
				125/1	0.13.0	0.32	
				125/3A	0.01.5	0.04	
				122/2	0.09.0	0.22	
				121/3	0.17.0	0.42	
				178/1A	0.06.0	0.15	
				178/1B	0.08.0	0.20	
				178/1C	0.02.0	0.05	
				178/1D	0.01.5	0.04	
				92/4	0.07.0	0.17	
				89/1A	0.02.5	0.06	
				89/1B	0.06.5	0.16	
				89/2	0.07.0	0.17	
				90/3	0.05.5	0.14	
				99/4	0.04.0	0.10	
				88/1	0.01.0	0.02	
				85/2	0.07.0	0.17	
				85/3	0.05.0	0.12	

[No. L-14016/8/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2560पेट्रोलियम और खनिज पाइप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोलियम रसायन विभाग की अधिसूचना का. आ. 903 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइपलाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों के अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, नागापटनम में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाश की तारीख से निहित होगा।

अनुसूची

अडियक्कमंगलम जीजी एस से एम आर एल पनंगुडी गैस पाइप लाइन रुट

जनपद	तहसील	तालुक	ग्राम न. और नाम	सर्वे नं.	क्षेत्रफल		विवरण
					हेक्टेयर	एकड़ में	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
तमिलनाडु	नागें खाइद मिललत	वितरुवारूर	23 वडखरै	239/2	0-02-0	0.05	
				239/3	0-05-5	0.14	
				239/4	0-04-0	0.10	
				239/6	0-00-5	0.01	
				239/7 ए	0-01-0	0.02	
				239/7बी	0-10-0	0.25	
				239/7सी	0-06-0	0.15	
				239/8ए	0-01-0	0.02	
				239/15	0-00-5	0.01	
				239/16	0-01-5	0.04	
				235/7	0-10-0	0.25	
				230/8सी	0-02-5	0.06	
				235/13	0-08-5	0.21	
				76/4	0-01-0	0.02	
				76/5	0-12-5	0.31	
				77/1	0-08-0	0.20	
				77/2	0-11-5	0.29	
				90	0-02-5	0.06	
				89/1	0-06-0	0.15	
				91/9	0-05-5	0.14	
				91/10	0-08-0	0.20	
				92/2	0-05-5	0.14	
				92/3	0-15-0	0.36	
				93/4	0-05-5	0.14	
				93/5	0-08-0	0.20	
				93/6	0-02-0	0.05	
				101/3	0-00-5	0.01	
				101/4	0-04-5	0.11	
				101/6 ए	0-06-0		

(1)	(2)	(3)	(4)	(5)	(6)
		107/3	0-02-5	0-06	
		107/4	0-08-5	0-21	
		106/2	00-0-5	0-01	
		106 /3	0-03-5	0-09	
		106/4	0-04-0	0-10	
		306/6	0-03-5	0-09	
		109/1	0-01-0	0-02	
		109/2ए	0-02-0	0-05	
		109/2बी/2	0-08-0	0-20	
		109/2 सी	0-12-0	0-30	
		37/1बी	0-05-5	0-14	
		36/2	0-06-0	0-08	
		31/2	0-32-0	0-80	
		32 ए/2ए	0-00-5	0-01	
		7/1ए	0-09-0	0-22	
		7/1बी	0-06-0	0-15	
		7/2	0-12-0	0-30	
		6/12	0-07-5	0-18	
		130/1	0-08-0	0-20	
		130/5	0-07-0	0-17	
		131/1	0-05-5	0-14	
		131/2	0.00.5	0-01	

[सं. एल-14016/8/93—जी पी]

अर्जुन सेन, निदेशक

New Delhi, 13th September, 1994

S.O. 2560 .— Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 903 dated 29-3-94 under Sub-Section (I) of Section of the Petroleum and Minerals Pipe Lines (Acquisition of Right of user in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the Schedules appended to that notification for purpose of paying pipe line.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-Section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
ADIYAKKAMANGALAM GGS TO M.R.L., PANANGUDI GAS
PIPE LINE ROUTE.

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagai-Quaid-E-Milleth	Tiruvarur	23—Vadakarai	239/2	0.02.0	0.05	
				239/3	0.05.5	0.14	

1	2	3	4	5	6	7	8
				239/4	0.04.0	0.10	
				239/6	0.00.5	0.01	
				239/7A	0.01.0	0.02	
				239/7B	0.10.0	0.25	
				239/7C	0.06.0	0.15	
				239/8A	0.01.0	0.02	
				239/15	0.00.5	0.01	
				239/16	0.01.5	0.04	
				235/7	0.10.0	0.25	
				235/8C	0.12.5	0.06	
				235/13	0.08.5	0.21	
				76/4	0.01.0	0.02	
				76/5	0.11.5	0.31	
				77/1	0.08.0	0.20	
				77/2	0.11.5	0.29	
				90	0.02.5	0.06	
				89/1	0.06.0	0.15	
				91/9	0.05.5	0.14	
				91/10	0.08.0	0.20	
				92/2	0.05.5	0.14	
				92/3	0.15.0	0.36	
				93/4	0.05.5	0.14	
				93/5	0.08.0	0.20	
				93/6	0.02.0	0.05	
				101/3	0.00.5	0.01	
				101/4	0.04.5	0.11	
				101/6A	0.06.0	0.15	
				107/3	0.02.5	0.06	
				107/4	0.08.5	0.21	
				106/2	0.00.5	0.01	
				106/3	0.03.5	0.09	
				106/4	0.04.0	0.10	
				106/6	0.03.5	0.09	
				109/1	0.01.0	0.02	
				109/2A	0.02.0	0.05	
				109/2B/2	0.08.0	0.20	
				109/2C	0.12.0	0.30	
				37/1B	0.05.5	0.14	
				36/2	0.04.0	0.08	
				31/2	0.32.0	0.80	
				32A/2A	0.00.5	0.01	
Tamil Nadu	Nagai Quaid-E-	Tiruvarur	23—Vadakarai	7/1A	0.09.0	0.22	
				7/1B	0.06.0	0.15	
				7/2	0.12.0	0.30	
				6/12	0.07.5	0.18	
				130/1	0.08.0	0.20	
				130/5	0.07.0	0.17	
				131/1	0.05.5	0.14	
				131/2	0.00.5	0.01	

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2561—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का का.आ. 904 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकार का उपयोग करते हुए भारत सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग कर हुए भारत सरकार निर्देश देती कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, नागापट्टम में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

जनपद	तहसील	तालूका	ग्राम नं. व नाम	सर्वे नं.	क्षेत्रफल		विवरण
					हेक्टे	एकड़ में	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
तमिलनाडु	नागेकाईप गिललत	नन्नीलम	122—नारमगम	111/63	0.01.0	0.02	
				111/65	0.02.0	0.05	
				111/68	0.02.5	0.06	
				111/69	0-00-5	0-01	
				111/70	0-00-5	0.01	
				111/71	0-00-5	0-01	
				111/72	0-01-0	0.02	
				111/73	0-02-0	0.05	
				111/74	0-04-5	0.11	
				113/23 ए	0-07-5	0.18	
				113/23 बी	0-06-0	0.15	
				114/1	0-00-5	0.01	
				114/2	0-04-0	0.01	
				114/4	0-07-0	0.17	
				116/11	0-06-0	0.15	
				116/12	0-05-0	0.12	
				116/14	0-02-0	0.05	
				116/15	0-07-5	0.18	
				116/16	0-04-5	0.11	
				127/12	0-02-5	0.06	
				127/14	0-04.0	0.10	

1	2	3	4	5	6	7
			126/1बी	0-01-0	0.02	
			126/2	0-03-0	0.08	
			126/3	0-03-0	0.08	
			126/5	0-01-5	0.04	
			126/6	0-07-5	0.18	
			126/9	0-02-5	0.06	
			126/10ए	0-05-0	0.12	
	4		126/10 बी	0-01-0	0.12	
			126/10 ए	0-01-0	0.02	

[सं एल-14016/8/95—जी पी.]

अर्घेन्दु सेन, निदेशक

New Delhi, the 13th September, 1994

S.O. 2561 .—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 904 Dated 29-3-94 under Sub-section (I) of the Petroleum and Minerals Pipe Lines (Acquisition of right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for purpose of paying pipe line.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-Section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

ADIYAKKAMANGALAM GGS TO M.R.L. PANANGUDI GAS PIPE LINE ROUTE

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectars	In Acre Cent	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagai. Quaid-E-Milleth	Nannilam	122—Narimanam	111/63	0.01.0	0.02	
				111/65	0.02.0	0.05	
				111/68	0.02.5	0.06	
				111/69	0.00.5	0.01	
				111/70	0.00.5	0.01	
				111/71	0.00.5	0.01	
				111/72	0.01.0	0.02	
				111/73	0.02.0	0.05	

111/74	0.04.5	0.11
113/23A	0.07.5	0.18
113/23B	0.06.0	0.15
114/1	0.00.5	0.01
114/2	0.04.0	0.10
114/4	0.07.0	0.17
116/11	0.06.0	0.15
116/12	0.05.0	0.12
116/14	0.02.0	0.05
116/15	0.07.5	0.18
116/16	0.04.5	0.11
127/12	0.02.5	0.06
127/14	0.04.0	0.10
126/1B	0.01.0	0.02
126/2	0.03.0	0.08
126/3	0.03.0	0.08
126/5	0.01.5	0.04
126/6	0.07.5	0.18
126/9	0.02.5	0.06
126/10A	0.05.0	0.12
126/10B	0.01.0	0.02

[No. L-14016/8/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2562.— पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का.आ. 905 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाए गैस अथॉरिटी आफ इंडिया लिमिटेड, नागापटनम में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

आडियक्कमंगलम जी जी एस से एम. आर. एल. पनंगुडी गैस पाइप लाइन रूट

जनपद	तहसील	तालुक	ग्राम नं. और नाम	क्षेत्रफल			विवरण
				सर्वे-नं.	हेक्टर	एकड़ में	
तमिलनाडु	नागैखाइद गिल्लत नल्लिभम		123- उत्तमचोलपुरम	55/1	0.07.0	0.17	
				53/3	0.20.0	0.50	
				58/1	0.08.0	0.20	
				58/2	0.29.0	0.72	

[स. एल-14016/8/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 13th September, 1994

S.O.2562.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 905 Dated 29-3-94 under Sub-Section (I) of Section 3 of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe line.

And further in exercise of Power conferred by sub-Section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas authority of India Limited free from encumbrances.

SCHEDULE

ADIYAKKAMANGALAM GGS TO M.R.L. PANANGUDI GAS PIPE
LINE ROUTE

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagai. Quaid-E- Milleth	Nannilam	123—Uthamach- olapuram	55/1	0.07.0	0.17	
				53/3	0.20.0	0.50	
				58/1	0.08.0	0.20	
				58/2	0.29.0	0.72	

[No. L-14016/8/93-GP]
ARDHENDU SEN, Director

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2563 पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय रसायन और पेट्रोरसायन विभाग की अधिसूचना का. आ. 906 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, नागापट्टनम में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

नरिमनम—जी सी एस मे एम आर एल तंगुडी गैस पाइप लाइन रूट

जनपद	तहसील	तालुका	ग्राम का नाम	सर्वे नं.	क्षेत्रफल		विवरण
					हेक्टेर में	एकड़ में	
तमिलनाडु	नागै खाइद-ई-निल्लम	नन्निलम	120—कुत्तालम	26/5 बी	0.16.0	0.40	
				26/6	0.05.0	0.12	
				26/7	0.04.5	0.11	
				20/5 बी	0.22.0	0.55	
				126/1 बी	0.33.5	0.84	
				126/1सी/4	0.19.0	0.47	
				128/5	0.01.0	0.02	
				117/5	0.23.5	0.59	

[सं. एल. 14016/8/93—जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 13th September, 1994

S.O. 2563.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 906 Dated 29-3-94 under Sub-Section (I) of Section of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in land Act) 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipe line.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-Section (4) of the Section the Central Government Direct that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

NARIMANA GCS TO M.R.L. PANANGUDI GAS PIPE LINE ROUTE

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagai. Quaid-E- Milleth	Nannilam	120—Kuttalam	26/5B	0.16.0	0.40	
				26/6	0.05.0	0.12	
				26/7	0.04.5	0.11	
				20/5B	0.22.0	0.55	
				126/1B	0.33.5	0.84	
				126/1C/4	0.19.0	0.47	
				128/5	0.01.0	0.02	
				117/5	0.23.5	0.59	

[No. L-14016/8/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली 13 मितम्बर 1994

का.आ. 2564 पैट्रोलीयम और खनिज पाईप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पैट्रोसायन विभाग की अधिसूचना का.आ. 907 तारीख 29-3-1994 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आणव्य घोषित किया था।

अतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन के बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाए, गैस अथॉरिटी आफ इंडिया लिमिटेड नागापटनम में सभी बाधों से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

नारिमणम जी सी एस से एस आर एल पनंगुडी गैस पाइप लाइन रुट

जनपद	तहसील	तानुका	ग्राम न. और नाम	सर्वेक्षण नं.	क्षेत्रफल		विवरण
					हेक्टेर में	एकड़ में	
तमिलनाडु	नागै खाइद-ई-मिल्लत	नन्निलम	122-नरिमणम	11/1	0.00.5	0.01	
				11/2	0.06.0	0.15	
				11/3	0.10.0	0.25	
				14/1	0.13.0	0.32	
				14/2ए	0.09.5	0.24	
				14/3	0.05.5	0.16	
				14/4	0.05.5	0.16	
				15/1	0.03.5	0.09	
				15/2	0.07.5	0.18	
				15/3ए	0.14.5	0.36	
				15/3बी	0.05.0	0.12	
				17/2बी	0.04.5	0.11	
				17/2सी	0.23.5	0.59	
				18/1	0.16.0	0.40	
				18/2	0.00.5	0.01	
				21/2बी	0.05.0	0.12	
				21/5	0.06.0	0.15	
				57/17	0.02.0	0.05	
				27/1	0.09.0	0.22	
				27/2	0.06.0	0.15	
				27/3बी	0.06.0	0.15	
				27/4	0.06.0	0.15	
				26	0.09.5	0.24	
				30/1	0.10.5	0.26	
				30/2	0.07.0	0.17	
				30/4	0.05.0	0.12	

1	2	3	4	5	6	7	8
				314बी	0.12.0	0.30	
				31/6ए	0.02.0	0.05	
				31/6बी	0.06.0	0.15	
				32/4	0.10.0	0.25	
				32/6	0.05.0	0.12	
				32/7ए	0.01.0	0.02	
				32/7बी	0.00.5	0.01	
				41/1बी	0.01.0	0.02	
				41/3बी	0.02.5	0.06	
				41/3बी	0.02.5	0.06	
				41/5	0.01.0	0.02	
				41/2	0.020	0.05	
				41/7	0.03.0	0.08	
				41/10	0.00.5	0.01	
				41/11	0.03.5	0.09	
				41/12	0.01.0	0.02	
				41/12	0.01.0	0.02	
				41/41	0.01.5	0.04	
				41/17	0.02.0	0.05	
				41/18	0.01.0	0.02	
				41/19	0.01.0	0.02	
				21/20	0.05.5	0.14	
				40/6	0.04.0	0.10	
				40/7	0.00.5	0.01	
				40/8	0.01.5	0.0	
				40.9	0.01.0	0.02	
				40.11	0.02.0	0.05	
				40/14	0.010	0.02	
				40/18	0.02.5	0.06	
				40/19	0.04.0	0.10	
				40.21	0.03.0	0.08	
				152.4	0.14.0	0.35	
				149/1	0.02.0	0.35	
				149.2	0.02.0	0.05	
				149/7	0.03.0	0.08	
				149/8ए	0.03.5	0.09	
				149/88	0.030	0.08	
				149/9	0.03.0	0.08	
				148/2	0.03.0	0.08	
				148/3	0.02.0	0.05	
				148/5	0.02.0	0.05	
				148/7	0.03.0	0.08	
				148/9	0.04.5	0.11	
				124/2	0.06.5	0.16	
				124/4	0.06.5	0.16	
				125/3	0.07.0	0.17	
				125/5	0.09.5	0.24	
				125/6	0.03.0	0.02	
				126/3	0.05.0	0.12	

New Delhi, the 13th September, 1994

S.O.2564.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 907 Dated 29-3-04 under Sub-Section (I) of Section of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of paying pipe line.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the Section of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the Pipe Line.

And further in exercise of power conferred by sub-section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

NARIMANAM GCS TO M.R.L., PANANGUDI GAS PIPE LINE ROUTE.

State	District	Taluk	Village No. & Name	Survey Nos.	Area		Remarks
					In Hectares	In Acres Cent	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagi. Quaid-E-Milleth	Nannilam	122—Narimanam	11/1	0 00 5	0 01	
				11/2	0 06 0	0 15	
				11/3	0 10 0	0 25	
				14/1	0 13 0	0 32	
				14/2A	0 09 5	0 24	
				14/3	0 05 5	0 16	
				14/4	0 05 5	0 16	
				15/1	0 05 5	0 16	
				15/1	0 03 5	0 09	
				15/2	0 07 5	0 18	
				15/3A	0 14 5	0 36	
				15/3B	0 05 0	0 12	
				17/2B	0 04 5	0 11	
				17/2C	0 23 5	0 59	
				18/1	0 16 0	0 40	
				18/2	0 00 5	0 01	
				21/2B	0 06 0	0 12	
				21/5	0 06 0	0 15	
				57/17	0 02 0	0 05	
				27/1	0 09 0	0 22	
				27/2	0 06 0	0 15	
				27/3B	0 06 0	0 15	
				27/4	0 06 0	0 15	
				26	0 09 5	0 24	

1	2	3	4	5	6	7	8
Tamil Nadu	Nagai, Quaid-E-Milleth	Nannilam 122—Narimanam	30/1 30/2 30/4 31/4B 31/6A 31/6B 32/4 32/6 32/7A 32/7B 41/1B 41/3B 41/5 41/6 41/7 41/10 41/11 41/12 41/14 41/17 41/18 41/19 41/20 40/6 40/7 40/8 40/9 40/11 40/14 40/18 40/19 40/21 152/4 149/1 149/2 149/7 149/8A 149/9B 149/9 148/2 148/3 148/5 148/7 148/9 124/2 124/4 125/2 125/5 125/6 126/3	0.10.5 0.07.0 0.05.0 0.12.0 0.02.0 0.06.0 0.10.0 0.05.0 0.01.0 0.00.5 0.01.0 0.02.5 0.01.0 0.02.0 0.03.0 0.00.5 0.03.5 0.01.0 0.01.5 0.02.0 0.01.0 0.01.0 0.05.5 0.04.0 0.00.5 0.01.5 0.01.0 0.02.0 0.01.0 0.02.5 0.04.0 0.03.0 0.14.0 0.02.0 0.02.0 0.03.0 0.03.5 0.03.0 0.03.0 0.03.0 0.02.0 0.02.0 0.03.0 0.04.5 0.06.5 0.06.5 0.07.0 0.09.5 0.01.0 0.05.0	0.26 0.17 0.12 0.03 0.05 0.15 0.25 0.12 0.02 0.01 0.02 0.06 0.02 0.05 0.08 0.01 0.09 0.02 0.04 0.05 0.02 0.02 0.14 0.10 0.01 0.04 0.02 0.06 0.10 0.08 0.35 0.05 0.05 0.08 0.09 0.08 0.08 0.05 0.05 0.08 0.11 0.16 0.16 0.17 0.24 0.02 0.12		

नई दिल्ली, 13 सितम्बर, 1994

का.आ. 2265.— जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन खोली जाये और यह पाइप लाइन गैस अथारिटी आफ इंडिया द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

वशत कि उक्त भूमि में अपनी ध्वि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथारिटी आफ इंडिया लि., एच.बी.जे. अप ग्रेडेशन पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1, नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विरोध रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

वाद-अनुसूची

एच.बी.जे. अपग्रेडेशन पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मौजा	गाटा संख्या	अर्जित क्षेत्र हेक्टर.	अन्य विवरण
1	2	3	4	4	6	7
मथुरा	मथुरा	मथुरा	पुरा	5	0.1800	
				3	0.0180	
				2	0.0100	
				1	0.2400	
				13	0.0240	
				14 अ	0.6200	
			योग	6	1.0920	हेक्टेयर
मथुरा	मथुरा	मथुरा	नगला मामन्त	या	2.697	एकड़
				या	04-06-06	बीघा
				131	0.3920	
				130	0.0030	
				132	0.0700	
				129	0.0480	
			योग	4	0.5130	हेक्टेयर
मथुरा	मथुरा	मथुरा	नगला मामन्त	या	1.267	एकड़
				या	02-00-11	बीघा

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	जुनमुटी	4	0.1080	
				5	0.8450	
				6	0.0240	
				8	0.1900	
				9	0.3430	
				19	0.1840	
				18	0.2860	
				20	0.0080	
				17	0.0180	
				22	0.7830	
				23	0.3940	
				38	0.0540	
				45	0.2510	
				44	0.2480	
				39	0.2680	
				41	0.0270	
				48	0.3520	
				49	0.3200	
				50	0.0030	
				61	0.2500	
				62	0.9380	
				66	0.2680	
				69	0.0360	
				71	0.1560	
				72	0.0430	
				70	0.3040	
				73	0.2840	
			योग	27	6.7850	हैकटेयर
				या	16.759	एकड़
				या	26.16.06	बीघा
मथुरा	मथुरा	मथुरा	लासपुर	748	0.3360	
				746	0.0080	
				749	0.0064	
				744	0.0440	
				743	0.1600	
				741	0.0030	
				742	0.4990	
				715	0.2930	
				716	0.0030	
				717	0.1440	
				713	0.0300	
				702	0.0480	
				690	0.0030	
				689	0.0960	
				684	0.1950	
				685	0.3840	

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	लालपुर	682	0.1300	
				678	0.0080	
				668	0.6060	
				664	0.0080	
				656	0.0960	
				655	0.0060	
				658	0.0056	
				653	0.0400	
				654	0.0030	
				652	0.1970	
				651	0.1820	
				650	0.0030	
				627	0.4650	
				626	0.0420	
			नहर		0.3120	
				878	0.4630	
				883	0.0180	
				880	0.0080	
				879	0.0030	
				882	0.1940	
				884	0.0064	
				881	0.2400	
				876	0.0080	
				875	0.0030	
				874	0.3920	
				873	0.3430	
				892	0.0520	
				897	0.0030	
				896/1216	0.0080	
				852	0.0030	
				851	0.4520	
				850	0.0080	
				849	0.2140	
				847	0.1860	
				846	0.2500	
				841	0.0030	
				837	0.0440	
				838	0.1000	
				839	0.1260	
				840	0.0112	
				832	0.0080	
सम्पूर्ण योग				57	7.5026	हैक्टेयर
				या	18.531	एकड़
				या	29.13-00	बीघा

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	मथुरा	118	0.4800	
				99	0.0080	
				97	0.1600	
				98	0.0060	
				94	0.3800	
				95	0.0840	
				93	0.3530	
				87	0.1950	
				90	0.2400	
				89	0.0060	
				69	0.5400	
				68	0.0280	
				30	0.4800	
				22	0.0600	
				23	0.2520	
				15	0.0240	
				24	0.2520	
				07	0.2700	
				06	0.0900	
कुल योग 19				3.9080	हेक्टेयर	
या				9.653	एकड़	
या				15-08-17	बीघा	
मथुरा	मथुरा	मथुरा	गज्ज	381	0.0080	
				382	0.0440	
				380	0.2160	
				368	0.7200	
				364	0.0060	
				354	0.1050	
				353	0.0600	
				384	0.1300	
				352	0.0500	
				351	0.0030	
				350	0.0180	
				349	0.0030	
				348	0.0600	
कुल योग				13	1.4210	हेक्टेयर
या				3.509	एकड़	
या				051-20-6	बीघा	

1	2	3	4	5	6	7
मथरा	मथुरा	मथुरा	मगोरी			
				1272	0.0240	
				1255	0.4300	
				1247अ	1.0100	
				1257	0.0120	
				1258अ	0.2760	
				1203	0.0240	
				1137	0.5020	
				1135ब	0.6130	
				983	0.0840	
				1290	0.2400	
				555	0.1460	
				503	0.7200	
				506	0.0120	
				508	0.1800	
				511	0.0180	
				527	0.4200	
				526	0.0340	
				524	0.5100	
				529अ	0.4500	
				540	0.1900	
				541	0.1750	
				542	0.2050	
				543	0.0030	
				567	0.0360	
				582	0.0750	
				580	0.0080	
				579	0.7200	
				576	0.0180	
				578	0.0750	
				577	0.3300	
				593ब	0.6200	
				593अ	0.5100	
				648	0.0400	
				660	0.1320	
				659	0.0180	
				658	0.3400	
				656	0.1620	
				662	0.1560	
				664ब	0.2630	
				664अ	0.0290	
				665	0.0040	
				666	0.2880	
			सम्पूर्ण योग	42	10.1020	हेक्टेयर
				या	24.952	एकड़
				या	39-18-09	बीघा

1	2	3	4	5	6	7
				181		
मथुरा	मथुरा	मथुरा	भदाल इन्डा	कार्टे ट्रैक	0.1200	
				183	0.0380	
				182	0.0840	
				योग 3	0.2420	हेक्टेयर
				या	0.598	एकड़
				या	00-19-02	बीघा
मथुरा	मथुरा	मथुरा	शाहपुर जाटान	131	0.0890	
				130	0.0604	
				129	0.0340	
				124	0.0408	
				123	0.3488	
				126	0.2576	
				117	0.3990	
				119	0.1740	
				101	1.2258	
				118	0.0628	
				20	0.0196	
				21	0.4020	
				24	0.0640	
				25	0.0884	
				26	0.0460	
				27	0.0850	
				28	0.0460	
				14	0.1100	
				15	0.0044	
				6	0.0180	
				11	0.2060	
				12	0.1500	
				10	0.2090	
				9	0.0360	
				योग	24	4.1766
						हेक्टेयर
				या	10.316	एकड़
				या	16-10-02	बीघा

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	रसूलपुर	464	0.0360	
				561	0.04850	
				564	0.0080	
				559	0.3600	
				556	0.3900	
				549	0.0680	
				554	0.0720	
				555	0.0060	
				537 अ	0.0300	
				537 ब	0.3780	
				534	0.2520	
				532	0.4250	
				533	0.0200	
				531 अ	0.0230	
				531 ब	0.2580	
				520	0.4050	
				518	0.0080	
				513	0.0600	
				512	0.3300	
				515	0.2700	
				511	0.2200	
				516	0.0120	
				508	0.1800	
				507	0.0060	
				506 अ	0.3930	
				506 ब	0.0230	
				502 अ	0.3680	
				502 ब	0.2800	
			योग	26	5.3640	हेक्टेअर
				या	13.249	एकड़
				या	21-03-19	बीघा
मथुरा	मथुरा	मथुरा	गोपालपुर	19	0.0030	
				20	0.0160	
				18	0.0030	
				17	0.3300	
				11	0.0060	
				10	0.0030	
				9	0.1350	
				7	0.3430	
				6	0.2020	
				1	0.1550	
			योग	10	1.1960	हेक्टेअर
				या	2.954	एकड़
				या	04-14-06	बीघा

1	3	4	5	6	7
मधुरा	मधुरा	जचीदा	28	0.7280	
			41	0.0360	
			40	0.4200	
			37	0.0300	
			52	0.5490	
			50	0.1380	
			49	0.0050	
			54	0.0420	
			59	0.0020	
			60	0.1060	
			58	0.0720	
			63	0.2180	
			64	0.3180	
			88	0.1600	
			87	0.0600	
			85	0.0580	
			86	0.0020	
			214	0.0660	
			213	0.1140	
			212	0.0150	
			219	0.0330	
			211	0.3630	
			235	0.1060	
			247	0.0600	
			246	0.1260	
			248	0.1200	
			260	0.5460	
			259	0.0280	
			258	0.0900	
			262	0.0120	
			263	0.1890	
			351	0.3600	
			350	0.4400	
			416	0.0360	
			417	0.0660	
			420	0.6400	
			438	0.0600	
			433	0.1160	
			432	0.0500	
			431	0.5620	
			784	0.0660	
			787	0.5570	
			788	0.0110	
			781	0.0480	
			762	0.3880	
			760	0.1200	
			758	0.1080	
			755	0.1560	
			749	0.0280	

1	2	3	4	5	6	7
			जलीदा	748	0.1080	
				757	0.0670	
				679	0.2760	
				678	0.0420	
				677	0.8900	
				676	0.3800	
				952	0.0960	
				956	0.3600	
			कुल योग	57	10.0430	हेक्टेयर
				या	24.806	एकड़
				या	39-13-15	बीघा
मयुरा	मयुरा	मयुरा	बेखका	34	.2100	
				33	.2350	
			कुल योग	2	.4450	हेक्टेयर
				या	1.099	एकड़
				या	01-15-03	बीघा
मयुरा	मयुरा	मयुरा	शाहपुर	223	0.0180	
			बैनपुर	225	0.1180	
				224	0.0060	
				226	0.0080	
				227	0.1600	
				212	0.0600	
				228	0.0020	
				211	0.1900	
				210	0.0020	
				208	0.0580	
				209	0.2200	
				1104	0.0960	
				1086	0.0060	
				1087	0.0960	
				1094	0.0860	
				1095	0.0080	
				1093	0.1200	
				1096	0.0980	
				1092	0.0600	
				1091	0.0080	
				1071	0.0480	
				1072	0.1110	
				1073	0.0200	
				1063	0.0600	
				1062	0.1200	
				1061	0.1600	
				1060	0.0030	
			कुल योग	27	1.9420	हेक्टेयर
				या	4.797	एकड़
				या	07-13-09	बीघा

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	विक्रमसिन्हा	32	0.1995	
				33	0.1260	
				29	0.2640	
				30	0.0030	
				35	0.0210	
			योग	5	0.6135	हेक्टेयर
				या	1.516	एकड़
				या	02-08-10-5	
मथुरा	मथुरा	मथुरा	सोन	924	0.0400	
				918	0.2340	
				920	0.0100	
				919	0.0360	
				921	0.0080	
				922	0.0040	
				923	0.0940	
				916	0.0060	
				899	0.3420	
				900	0.0300	
				902	0.3600	
				883	0.0060	
				882	0.1310	
				881	0.0110	
				879	0.0420	
				863	0.0240	
				861	0.0900	
				862	0.1880	
				860	0.0060	
				864	0.0840	
				859	0.3900	
				711	0.0360	
				712	0.3900	
				717	0.0080	
				718	0.0040	
				735	0.0530	
				729	0.4600	
				728	0.1020	
				725	0.1080	
				726	0.2170	
				445	0.0300	
				468	0.1020	
				467	0.0960	
				446	0.3500	
				461	0.1320	

1	2	3	4	5	6	7
		सोन	459		0.0180	
			458		0.1750	
			457		0.0300	
			456		0.1900	
			454		0.0190	
			453		0.1350	
			452		0.0030	
			451		0.0020	
			433		0.0120	
			432		0.0030	
			430		0.7000	
			384		0.0700	
			408		0.0030	
			352		0.0100	
			351		0.0900	
			348		0.0030	
			347		0.0060	
			346		0.0050	
			345		0.0850	
			344		0.1270	
			342		0.2860	
			343		0.0600	
			339		0.0040	
			338		0.2800	
			336		0.1480	
			335		0.1900	
			334		0.1300	
			244		0.0100	
			240		0.1660	
			241		0.0600	
			239		0.0550	
			238		0.3800	
			237		0.0020	
			236		0.0040	
			234		0.0120	
		सम्पूर्ण योग	70		7.6970	हेक्टेयर
			या		19.011	एफड़
			या		30-08-07	बीघा

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	तोस	185	0.0600	
				219	0.4900	
				221	0.3590	
				217	0.0060	
				216	0.0050	
				215	0.4500	
				243	0.0360	
				242	0.1960	
				241	0.3100	
				240	0.0700	
				237	0.0320	
				238	0.6100	
				250	0.1250	
	5			260	0.0710	
				257	0.2200	
				255	0.0100	
				254	0.3890	
				306	0.8220	
				311	0.0060	
				310	0.6900	
				313	0.5100	
				314	0.3600	
				315	0.6900	
				302	0.0600	
				334	0.1900	
				323	0.0580	
				322	0.0580	
				319	0.4600	
			योग	23	7.3340	हेक्टेयर
				या	18.115	एकड़
				या	28-19-94	बीघा
मथुरा	मथुरा	मथुरा	माधुरी-कुण्ड	199	0.0506	
				308	0.1860	
				311	0.0012	
				312	0.0432	
				313	0.0960	
				314	0.1360	
				310	0.0080	
				929	0.3200	
				953	0.0200	
				939	0.1800	
				940	0.1380	
				941	0.0530	
				916	0.0030	

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	माधुरी-कुण्ड	920	0.0100	
				918	0.0060	
				917	0.0030	
				915	0.4920	
				908	0.0030	
				907	0.0060	
				903	0.1380	
				904	0.1800	
				900	0.1720	
				899	0.0030	
				898	0.0500	
			कुल योग	24	2.2980	हेक्टेयर
				या	5.676	एकड़
				या	09-01-12	बीघा
			राल	2	0.3840	
				4	0.6660	
				5	0.0220	
				9	0.3860	
				8	0.7960	
				12	0.0210	
				814	0.2960	
				815	0.4500	
				816	0.1900	
				820	0.0060	
				821	0.2540	
				861	0.1080	
				865	0.6300	
				866	0.0780	
				869	0.2960	
				871	0.3620	
				872	0.3560	
				873	0.1240	
				874	0.0200	
				875	0.2260	
				887	0.0540	
				892/1235	0.1600	
				892	0.3500	
				985	0.0040	
				896	0.2590	
				897	0.0250	
			नालो		0.0060	
				902	0.0320	
				901	0.2680	
				911	0.0220	

1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	राल	910	0.1200	
				913	0.0600	
				909	0.0060	
				912	0.6400	
				968	0.0480	
				967	0.9220	
				966	0.7400	
				959	0.0600	
				958	0.2020	
				956	0.4500	
				955	0.0180	
				954	0.4700	
				953	0.2620	
				952	0.0120	
				1120	0.1180	
				1128	0.0360	
				1111	0.4200	
				1110	0.3420	
				1096	0.0300	
				1107	0.3500	
				1109	0.0100	
				1070	0.0600	
				1173	0.0750	
				1172	0.3850	
				1175	0.0600	
				1170	0.0020	
				1169	0.6080	
				1168	0.5020	
				1176	0.2240	
				622	0.1540	
				1182	0.1300	
				1166	0.1300	
				1161	0.0360	
				1164	0.6920	
				1147	0.5880	
				1144	1.0800	
			सम्पूर्ण योग	66	16.8930	हेक्टेयर
				या	41.726	एकड़
				या	66-15-04	बीघा

[सं. एल.-14016/3/94-जी. पी.]

अर्धेन्दु सेत, निदेशक

New Delhi, the 13th September, 1994

S.O. 2565.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-Gradation Gas Pipe line in Uttar Pradesh State. Pipeline should be laid by the Gas Authority of India Ltd.

AND WHEREAS it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd., H.B.J. Up-gradation, Pipeline Project, P.D.J.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

CASE SCHEDULE
H.B.J. UPGRADATION PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plot No.	Acquired Area in Hectare	Remarks
1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Pura	5	0.1800	
				3	0.0180	
				2	0.0100	
				1	0.2400	
				13	0.0240	
				14A	0.6200	
				TOTAL	6	1.0920 Hectare
				OR	2.697 Acres	
				OR	04.06-06 Bigha	
Mathura	Mathura	Mathura	Nagla Samant	131	0.3920	
				130	0.0030	
				132	0.0700	
				129	0.0480	
				TOTAL	4	0.5130 Hectare
				OR	1.267 Acres	
Mathura	Mathura	Mathura	Jansuti	4	0.1080	
				5	0.8450	
				6	0.0240	
				8	0.1900	
				9	0.3430	
				19	0.1840	
				18	0.2860	
				20	0.0080	
				17	0.0180	

1	2	3	4	5	6	7
				22	0.7830	
				23	0.3940	
				38	0.0540	
				45	0.2510	
				44	0.2480	
				39	0.2680	
				41	0.0270	
				48	0.3520	
				49	0.3200	
				50	0.0030	
				61	0.2500	
				62	0.9380	
				66	0.2680	
				69	0.0360	
				71	0.1560	
				72	0.0430	
				70	0.1040	
				73	0.2840	
			TOTAL	27	6.7850 Hectare	
				OR	16.759 Acres	
				OR	26-16-06 Bigha	
Mathura	Mathura	Mathura	Lalpur	748	0.3360	
				746	0.0080	
				749	0.0064	
				744	0.0440	
				743	0.1600	
				741	0.0030	
				742	0.4990	
				715	0.2930	
				716	0.0030	
				717	0.1440	
				713	0.0300	
				702	0.0480	
				690	0.0030	
				689	0.0960	
				684	0.1950	
				685	0.3840	
				682	0.1300	
				678	0.0080	
				668	0.6060	
				664	0.0080	
				656	0.0960	
				655	0.0060	
				658	0.0056	
				653	0.0400	
				654	0.0030	
				652	0.1970	
				651	0.1820	
				650	0.0030	
				627	0.4650	
				626	0.0420	
				Canal	0.3120	
				878	0.4630	
				883	0.0180	

1	2	3	4	5	6	7
			Lalpur	880	0.0080	
				879	0.0030	
				882	0.1940	
				884	0.0064	
				881	0.2400	
				876	0.0080	
				875	0.0030	
				874	0.3920	
				873	0.3430	
				892	0.0520	
				897	0.0030	
				896/1216	0.0080	
				852	0.0030	
				851	0.4520	
				850	0.0080	
				849	0 2140	
				847	0 1860	
				846	0 2500	
				841	0 0030	
				837	0 0440	
				838	0.1000	
				839	0.1260	
				840	0.0112	
				832	0.0080	
			G. TOTAL	57	7.5026 Hectare	
				OR	18.531 Acres	
				OR	29-13-00 Bigha	
Mathura	Mathura	Mathura	Jhapra	118	.4800	
				99	.0080	
				97	.1600	
				98	.0060	
				94	.3800	
				95	.0840	
				93	.3530	
				87	.1950	
				90	.2400	
				89	.0060	
				69	.5400	
				68	.0280	
				30	.4800	
				22	.0600	
				23	.2520	
				25	.0240	
				24	.2520	
				07	.2700	
				06	.0900	
			TOTAL	19	3.9080 Hectare	
				OR	9.653 Acres	
				OR	15-08-17 Bigha	

1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Gaju	381	.0060	
				382	.0440	
				380	.2160	
				368	.7200	
				364	.0060	
				354	.1050	
				353	.0600	
				384	.1300	
				352	.0500	
				351	.0030	
				350	.0180	
				349	.0030	
				348	.0600	
			TOTAL	13	1 4210 Hectare	
				OR	3.509 Acres	
				OR	05-12-06 Bigha	
Mathura	Mathura	Mathura	Magorra	1272	0.0240	
				1255	0.4300	
				1247A	1.0100	
				1257	0.0120	
				1258A	0.2760	
				1203	0.0240	
				1137	0.5020	
				1135B	0.6130	
				983	0.0840	
				1290	0.2400	
				555	0.1460	
				503	0.7200	
				506	0.0120	
				508	0.1800	
				511	0.0180	
				527	0.4200	
				526	0.0340	
				524	0.5100	
				539A	0.4500	
				540	0.1900	
				541	0.1750	
				542	0.2050	
				543	0.0030	
				567	0.0360	
				582	0.0750	
				580	0.0080	
				579	0.7200	
				576	0.0180	
				578	0.0750	
				577	0.3300	
				593B	0.6200	
				593A	0.5100	
				648	0.0400	
				660	0.1320	
				659	0.0180	

1	2	3	4	5	6	7
			Magorra	658	0.3400	
				656	0.1620	
				662	0.1560	
				664B	0.2630	
				664A	0.0290	
				665	0.0040	
				666	0.2880	
			G. TOTAL	42	10.1020 Hectare	
				OR	24.952 Acres	
				OR	39-18-09 Bigha	
Mathura	Mathura	Mathura	Bhadal Inchha	Cart Track	0.1200	
				183	0.0380	
				182	0.0840	
			TOTAL	3	0.2420 Hectare	
				OR	0.598 Acres	
				OR	00-19-02 Bigha	
Mathura	Mathura	Mathura	Shaspur Jatan	131	0.0890	
				130	0.0604	
				129	0.0340	
				124	0.0408	
				123	0.3488	
				126	0.2576	
				117	0.3990	
				119	0.1740	
				101	1.2258	
				118	0.0628	
				20	0.0196	
				21	0.4020	
				24	0.0640	
				25	0.0884	
				26	0.0460	
				27	0.0850	
				28	0.0460	
				14	0.1100	
				15	0.0044	
				6	0.0180	
				11	0.2060	
				12	0.1500	
				10	0.2090	
				9	0.0360	
			TOTAL	24	4.1766 Hectare	
				OR	10.316 Acres	
				OR	16-10-02 Bigha	

1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Rasool pur	464	0.0360	
				561	0.4850	
				564	0.0080	
				559	0.3600	
				556	0.3900	
				549	0.0660	
				554	0.0720	
				555	0.0060	
				537A	0.0300	
				537 B	0.3780	
				534	0.2520	
				532	0.4250	
				533	0.0200	
				531A	0.0230	
				531B	0.2580	
				520	0.4050	
				518	0.0080	
				513	0.0600	
				512	0.3300	
				515	0.2700	
				511	0.2200	
				516	0.0120	
				508	0.1800	
				507	0.0060	
				506A	0.3930	
				506B	0.0230	
				502A	0.3680	
				502B	0.2800	
TOTAL				26	5.3640 Hectare	
				OR	13.249 Acres	
				OR	21-03-19 Bigha	
Mathura	Mathura	Mathura	Gopal pur	19	0.0030	
				20	0.0160	
				1	0.0030	
				17	0.3300	
				11	0.0060	
				10	0.0030	
				9	0.1350	
				7	0.3430	
				6	0.2020	
				1	0.1550	
TOTAL				10	1.1960 Hectare	
				OR	2.954 Acres	
				OR	04-14-06 Bigha	

1	2	3	4	5	6	7
Mathura	Mathara	Mathura	Jachonda	28	.7280	
				41	.0360	
				40	.4200	
				37	.0300	
				52	.5490	
				50	.1380	
				49	.0050	
				54	.0420	
				59	.0020	
				60	.1060	
				58	.0720	
				63	.2180	
				64	.3180	
				88	.1600	
				87	.0600	
				85	.0580	
				86	.0020	
				214	.0660	
				213	.1140	
				212	.0150	
				219	.0330	
				211	.3630	
				235	.1060	
				247	.0600	
				246	.1260	
				248	.1200	
				260	.5460	
				259	.0280	
				258	.0900	
				262	.0120	
				263	.1890	
				351	.3600	
				350	.4400	
				416	.0360	
				417	.0660	
				420	.6400	
				438	.0600	
				433	.1160	
				432	.0500	
				431	.5620	
				784	.0660	
				787	.5570	
				788	.0110	
				781	.0480	
				762	.3880	
				760	.1200	
				758	.1080	
				755	.1560	
				749	.0280	
				748	.1080	
				757	.0670	
				679	.2760	
				678	.0420	
				677	.8900	
				676	.3800	
				952	.0960	
				956	.3600	

TOTAL 57 10.0430 Hectare

or 24—806 Acres

or 39-13-15 Bigha

1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Beruka	34	.2100	
				33	.2350	
			TOTAL	2	.4450	Hectare
				or	1.099	Acres
				or	01-15-03	Bigha
Mathura	Mathura	Mathura	Shahpur Chenpur	223	.0180	
				225	.1180	
				224	.0060	
				226	.0080	
				227	.1600	
				212	.0600	
				228	.0020	
				211	.1900	
				210	.0020	
				208	.0580	
				209	.2200	
				1104	.0960	
				1086	.0060	
				1087	.0960	
				1094	.0866	
				1095	.0080	
				1093	.1200	
				1096	.0980	
				1092	.0600	
				1091	.0080	
				1071	.0480	
				1072	.1110	
				1073	.0200	
				1063	.0600	
				1062	.1200	
				1061	.1600	
				1060	.0030	
			TOTAL	27	1.9420	Hectare
				or	4.797	Acres
				or	07-13-09	Bigha
Mathura	Mathura	Mathura	Chak-Samant	32	0.1995	
				33	0.1260	
				29	0.2640	
				30	0.0030	
				35	0.0210	Chakroad
			TOTAL	5	0.6135	Hectare
					1.516	Acres
					02-08-10.5	Begha

1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Son	924	0.0400	
				918	0.2340	
				920	0.0100	
				919	0.0360	
				921	0.0080	
				922	0.0040	
				923	0.0940	
				916	0.0060	
				899	0.3420	
				900	0.0300	
				902	0.3600	
				883	0.0060	
				882	0.1310	
				881	0.0110	
				879	0.0420	
				863	0.0240	
				861	0.0900	
				862	0.1880	
				860	0.0060	
				864	0.0840	
				859	0.3900	
				711	0.0360	
				712	0.3900	
				717	0.0080	
				718	0.0040	
				735	0.0530	
				729	0.4600	
				728	0.1020	
				725	0.1080	
				726	0.2170	
				445	0.0300	
				468	0.1020	
				467	0.0960	
				466	0.3500	
				461	0.1320	
				459	0.0180	
				458	0.1750	
				457	0.0300	
				456	0.1900	
				454	0.0190	
				453	0.1350	
				452	0.0030	
				451	0.0020	
				433	0.0120	
				432	0.0030	
				430	0.7000	
				384	0.0700	
				408	0.0030	
				352	0.0100	
				351	0.0900	
				348	0.0030	
				347	0.0060	
				346	0.0050	
				345	0.0850	
				344	0.1270	

1	2	3	4	5	6	7
				Son	342	0.2860
					343	0.0600
					339	0.0040
					338	0.2800
					336	0.1480
					335	0.1900
					334	0.1300
					244	0.0100
					240	0.1660
					241	0.0600
					239	0.0550
					238	0.3800
					237	0.0020
					236	0.0040
					234	0.0120
				G. TOTAL	70	7.6970 Hectare
					OR	19.011 Acres
					OR	30-08-07 Bigha
Mathura	Mathura	Mathura	Tosh		185	0.0600
					219	0.4900
					221	0.3590
					217	0.0060
					216	0.0050
					215	0.4500
					243	0.0360
					242	0.1960
					241	0.3100
					240	0.0700
					237	0.0320
					238	0.6100
					250	0.1250
					260	0.0710
					257	0.2200
					255	0.0100
					254	0.3800
					306	0.8220
					311	0.0060
					310	0.6900
					313	0.5100
					314	0.3600
					315	0.6900
					302	0.0600
					334	0.1900
					323	0.0580
					322	0.0580
					319	0.4600
				TOTAL	28	7.3340 Hectare
					OR	18.115 Acres
					OR	28-19-14 Bigha

1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Madhuri Kund	199	0.0938	
				308	0.1880	
				311	0.0012	
				312	0.0432	
				313	0.0960	
				314	0.1360	
				310	0.0080	
				929	0.3200	
				953	0.0200	
				939	0.1800	
				940	0.1380	
				941	0.0820	
				916	0.0030	
				920	0.0100	
				918	0.0080	
				917	0.0030	
				915	0.4920	
				908	0.0030	
				907	0.0960	
				903	0.1360	
				904	0.1800	
				900	0.1720	
				899	0.0030	
				898	0.0300	
G. TOTAL				24	2.2980 Hectare	
				OR	5.676 Acres	
				OR	09-01-12 Bigba	
Mathura	Mathura	Mathura	Raal	2	0.3840	
				4	0.6660	
				5	0.0220	
				9	0.3860	
				8	0.7960	
				12	0.0210	
				814	0.2930	
				815	0.4500	
				816	0.1900	
				820	0.0080	
				821	0.2580	
				861	0.1630	
				865	0.6870	
				866	0.6880	
				869	0.5880	
				871	0.8820	
				872	0.2170	
				873	0.1240	
				874	0.0800	
				875	0.2200	
				887	0.0540	
				892/1235	0.1600	

1	2	3	4	5	6	7
			Raal (Contd.)	892	0.3500	
				895	0.0040	
				896	0.2590	
				897	0.0250	
				Nali	0.0060	
				902	0.0320	
				901	0.2680	
				911	0.0220	
				910	0.1200	
				913	0.0600	
				909	0.0060	
				912	0.6400	
				968	0.0480	
				967	0.9220	
				966	0.7400	
				959	0.0600	
				958	0.2020	
				956	0.4500	
				955	0.0180	
				954	0.4700	
				953	0.2620	
				952	0.0120	
				1120	0.1180	
				1128	0.0360	
				1111	0.4200	
				1110	0.3420	
				1096	0.0300	
				1107	0.3500	
				1109	0.0100	
				1070	0.0600	
				1173	0.0750	
				1172	0.3850	
				1175	0.0600	
				1170	0.0020	
				1169	0.6080	
				1168	0.5020	
				1176	0.2240	
				622	0.1540	
				1182	0.1300	
				1166	0.1300	
				1161	0.0360	
				1164	0.6920	
				1147	0.5880	
				1144	1.0800	
			G. TOTAL	66	16.8930 Hectare	
				OR	41.726 Acres	
				OR	66-15-04 Bigha	

नई दिल्ली, 15 मितम्बर, 1994

का.आ. 2566.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि हरियाणा राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.वी.जे. अप ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथा-रिटी आफ इंडिया द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ, संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की संज्ञा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति मध्यम प्राधिकारी, गैस अथा-रिटी आफ इंडिया लि., एच.वी.जे. अप ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1, नौएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

वाद-अनुसूची

एच.वी.जे. अपग्रेडेशन पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना उप मंडल	गाँव	गाटा संख्या खसरा/कीला	अर्जित क्षेत्रफल बीघा/एकड़/हेक्टेयर	अन्य विवरण
1	2	3	4	5	6	7
फरीदाबाद	बल्लभगढ़	बल्लभगढ़	हीरापुर	9/7	1-10	
				8	0-7	
				13/1	2-18	
				13/2	0-10	
				14	0-10	
				18	3-12	
				19/2	0-1	
				19/3	0-3	
				22	3-0	
				23	0-13	
				18/1	0-8	
				2	3-8	
				9/2	0-16	
				10/1	2-2	
				10/2	0-5	
				11	3-0	
				20/1	0-18	
				20/3	2-3	
				21	3-0	
				21/1/1	1-10	
				1/2	1-10	
				10	3-0	
				11/1	2-5	

1	2	3	4	5	6	7
फरीदाबाद	बल्लभगढ़	बल्लभगढ़	हीरापुर	11/ 2 20/1 21 32/1 10 11 20 21 34/1 10 11 20 21 44/1 1/ 2 10 11 43/ 6/1 15/ 2 58 122 131 138	0-13 3-0 3-0 3-0 3-1 3-1 2-16 3-1 3-1 3-1 3-1 3-1 3-1 2-0 1-1 3-0 2-12 0-2 0-6 0-12 0-6 0-4 0-5	
				जोड़	84-14	
				एकड़	10. 58	
				हेक्टर	4. 28	
फरीदाबाद	बल्लभगढ़	बल्लभगढ़	मोहना	17/ 16 25 18/ 11 20/ 1 20/ 2 21/ 1 31/ 1 10 11 20 21 32/ 5 6 15 16 25 38/ 5 6 15	1-5 2-3 0-2 0-2 0-12 0-17 0-16 0-16 0-16 0-16 0-16 2-2 2-2 2-2 2-2 2-3 2-3 2-3	

1	2	3	4	5	6	7
फरीदवाड	बल्लभगढ़	बल्लभगढ़	मोहना	16	2-3	
				25	2-3	
				39/1	0-16	
				10	0-16	
				11	0-16	
				20	0-10	
				21	0-10	
				55/1	0-7	
				10	0-7	
				11	0-7	
				20	0-7	
				21	0-5	
				56/5	2-5	
				6	2-5	
				15	2-5	
				16	2-6	
				25	1-12	
				65/5	2-4	
				6	2-4	
				15/3	2-8	
				16	2-10	
				25	2-10	
				66/1	0-16	
				10	0-16	
				11	0-12	
				20	0-10	
				21	0-10	
				86/1	0-4	
				10	0-4	
				11	0-2	
				20	0-1	
				87/5	2-16	
				6	2-16	
				16	2-18	
				16	2-18	
				25	3-0	
				97/5	2-10	
				6	2-19	
				15	2-19	
				16	2-19	
				25	2-19	
				124/5	2-19	
				6/1	2-19	
				124/15/2	3-0	
				16	2-9	
				25	3-0	
				26	0-11	

1	3	3	4	5	6	7
				135/ 5	2-10	
				6	3-0	
				15	3-0	
				16	3-0	
				25	3-0	
				160/ 5	3-0	
				6/ 2	3-0	
				15/ 1	0-10	
				15/ 2	1-4	
				16	3-0	
				25	3-0	
				172/ 5	3-0	
				6	3-0	
				15	1-0	
				259	0-15	
				260	0-10	
				263	0-10	
				240	1-0	
				578	2-0	
				623	0-1	
				योग	145-3	
				एकड़	18. 14	
				हैक्टेयर	7. 34	

[स. एल-14016/ 9/94-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 15th September, 1994

S.O. 2566.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-gradation Gas Pipe line in Haryana State. Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Up-gradation, Pipeline, P. D.L. Building, A-14, Sector-I, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

CASE SCHEDULE

H.B.J. Upgradation Pipe line Project.

District	Tehsil	Pargana Sub. Div.	Village	Plot No. KhasraNo./Kila	Acquired area in Kanal/Marla	Remarks
Faridabad	Ballabgarh	Ballabgarh	Hirapur	9/7	1—10	
				8	0—7	
				13/1	2—18	
				13/2	0—10	
				14	0—10	
				18	3—12	
				19/2	0—1	
				19/3	0—3	
				22	3—0	
				23	0—13	
				18/1	0—8	
				2	3—8	
				9/2	0—16	
				10/1	2—2	
				10/2	0—5	
				11	3—0	
				20/1	0—18	
				20/3	2—3	
				21	3—0	
				21/1/1	1—10	
				1/2	1—10	
				10	3—0	
				11/1	2—5	
				11/2	0—13	
				20/1	3—0	
				21	3—0	
				32/1	3—0	
				10	3—1	
				11	3—1	
				20	2—16	
				21	3—1	
				34/1	3—1	
				10	3—1	
				11	3—1	
				20	3—1	
				21	3—1	
				44/1/1	2—0	
				1/2	1—1	
				10	3—0	
				11	2—12	
				43/6/1	0—2	
				15/2	0—6	
				58	0—12	
				122	0—6	
				131	0—4	
				138	0—5	
				Total	84—14	
				Acre	10—58	
				Hectare	4—28	

1	2	3	4	5	6	7
Faridabad	Ballabgarh	Ballabgarh	Mohna	17/16	1—5	
				25	2—3	
				18/11	0—2	
				20/1	0—2	
				20/2	0—12	
				21/1	0—17	
				31/1	0—16	
				10	0—16	
				11	0—16	
				20	0—16	
				21	0—16	
				32/5	2—2	
				6	2—2	
				15	2—2	
				16	2—2	
				25	2—2	
				38/5	2—3	
				6	2—3	
				15	2—3	
				16	2—3	
				25	2—3	
				39/1	0—16	
				10	0—16	
				11	0—16	
				20	0—10	
				21	0—10	
				55/1	0—7	
				10	0—7	
				11	0—7	
				20	0—7	
				21	0—5	
				56/5	2—5	
				6	2—5	
				15	2—5	
				16	2—6	
				25	1—12	
				65/5	2—4	
				6	2—4	
				15/3	2—8	
				16	2—10	
				25	2—10	
				66/1	0—16	
				10	0—16	
				11	0—12	
				20	0—10	
				21	0—10	
				86/1	0—10	
				10	0—4	
				11	0—2	
				20	0—1	
				87/5	2—16	
				6	2—16	
				15	2—18	

1	2	3	4	5	6	7
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16	2—18
25	3—0
97//5	2—10
6	2—19
15	2—19
16	2—19
25	2—19
124//5	2—19
6/1	2—19
124//15/2	3—0
16	2—9
25	3—0
26	0—11
135//5	2—10
6	3—0
15	3—0
16	3—0
25	3—0
160//5	3—0
6/2	3—0
15/1	0—10
15/2	1—4
16	3—0
25	3—0
172//5	3—0
6	3—0
15	1—0
259	0—15
260	0—10
263	0—10
240	1—00
578	2—0
623	0—1

Total	145—3
Acres	18—745
Hectares	7.34

[No. L-14016/9/94-GP.]

ARDHENDU SEN, Director

नई दिल्ली, 15 सितम्बर, 1994

का.आ. 2567.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि हरियाणा राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाए और यह पाइप लाइन गैस ग्रॉ-रिटी ऑफ इंडिया द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अप्रॉप्रीटी ऑफ इंडिया लि., एच.डी.जे. अप्रॉप्रीशन गैस पाइप लाइन प्रोजेक्ट पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1, नौएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

वाद-प्रतिसूची

एच.डी.जे. अप्रॉप्रीशन पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मौजा	गाटा संख्या खसरा-प्लॉट	अर्जित क्षेत्र कनाल मरला	अन्य विवरण
1	2	3	4	5	6	7
फरीदाबाद	पलवल	पलवल	रामपुर खोर	7/4	1-10	
				7	2-9	
				14	3-0	
				16/2	0-4	
				17	2-16	
				24	2-1	
				25/1	0-19	
				17/4	1-10	
				5/1	1-9	
				5/2	0-1	
				6/1	1-8	
				6/2	0-12	
				7	1-0	
				14/3	1-0	
				15	2-0	
				16/2	1-13	
				17, 1	0-14	
				17/3	0-4	
				17/24	1-4	
				25/1	1-6	
				25/2	0-5	
				20/4/1	0-10	
				4/2	0-14	
				5/1	1-5	
				5/2	0-11	
				6	1-17	
				7	1-3	
				14	1-7	
				15	1-13	
				16	1-13	
				17/1	0-3	
				17/2	1-4	
				24	1-3	
				25	1-17	

1	2	3	4	5	6	7
फरीदाबाद	पलवल	पलवल	रामपुर खोर (जारी)	31/4 5 6 7 15/1 16 25/1 25/2 33/5/1 5/2 6/1 6/2 15/2 16 25 34/11 20/2 20/3 21/1 21/2 42/1/1 10 11 20 21 43/5 6 15 16/1 45/1 10 56 मि. 61 56 मि. 111	0-17 2-3 2-15 0-5 3-0 3-0 0-10 2-8 2-9 0-4 2-5 0-8 3-0 2-10 1-15 0-1 0-2 0-7 0-12 0-13 1-14 2-8 2-17 2-19 3-0 1-6 0-12 0-3 0-1 3-0 1-0 0-14 0-4 0-10 0-2	
				योग	92-9	
				एकड़	11, 556	
				हेक्टर	4, 678	
फरीदाबाद	पलवल	पलवल	कुशक	1/14 17 18 24 25 7/11	0-3 3-5 0-1 3-2 0-5 0-6	

1	2	3	4	5	6	7
फरीदाबाद	पलवल	पलवल	कुशक (जारी)	20	2-11	
				21/1	1-10	
				21/2	1-19	
				8/4	0-19	
				5	2-8	
				6/1	1-18	
				6/2	1-7	
				15/1	0-5	
				15/2	2-14	
				16	0-16	
				12/1	2-18	
				2	0-11	
				9	2-17	
				10	0-11	
				12	3-8	
				13	0-1	
				18	1-19	
				19	1-13	
				23	3-12	
				19/3	2-14	
				4/1	1-0	
				7/1	1-10	
				7/2	1-4	
				8	0-3	
				14	3-0	
				15	0-11	
				16/1	2-9	
				19/16/2	0-11	
				17	0-12	
				25	3-10	
				18/21	0-4	
				26/5	1-2	
				27/1	2-8	
				10	3-4	
				9	0-1	
				11	1-12	
				12	2-3	
				18	0-2	
				19	3-13	
				22	1-12	
				23	2-4	
				33/3	3-16	
				7	1-12	
				8	2-6	
				13	0-1	
				14	3-14	
				16	1-4	

1	2	3	4	5	6	7
			कुशक—जारी	17	2-9	
				24	0-2	
				25	3-4	
				42/5	3-3	
				6	0-19	
				43/1/11	0-3	
				10	2-4	
				11	3-5	
				20	3-4	
				19	0-2	
				21	1-6	
				22	2-1	
				48/1	0-1	
				2	3-7	
				9	3-5	
				12	1-0	
				13	2-7	
				18	3-12	
				23	2-2	
				24	1-11	
				60/3	0-2	
				4	3-8	
				6	0-8	
				7	3-4	
				14	0-13	
				15	2-19	
				16/1	1-15	
				16/2	1-14	
				25	1-11	
				61/20/2	0-1	
				21	2-2	
				66/1	3-15	
				9	0-3	
				10	3-2	
				11	0-10	
				21	0-5	
				22	2-16	
				67/5	0-1	
				82/2	3-0	
				9	3-0	
				12	3-0	
				19	3-0	
				22	3-0	
				23	0-1	
				90/2	2-9	
				3	0-11	

1	2	3	4	5	6	7
			कुशक--जारी	8	1-10	
				9	1-11	
				12	0-17	
				13	2-3	
				18	2-19	
				19	0-2	
				23	3-0	
				108/3	2-17	
				8	3-1	
				13/1	1-4	
				13/2	1-16	
				18/1	2-2	
				18/2	1-1	
				23/1	1-5	
				23/2	1-17	
				24	0-1	
				116/3/1	0-6	
				3/2	2-6	
				4	0-7	
				7	1-0	
				8	1-13	
				13	1-2	
				14	1-13	
				17	2-1	
				18	1-0	
				23	0-10	
				24	2-10	
				134/3	0-1	
				4/1	2-19	
				7	2-15	
				134/14	3-0	
				17/1	0-8	
				17/2	1-6	
				17/3	0-11	
				24	3-0	
				26	0-5	
				141/4/1	0-1	
				4/2	0-1	
				4/3	2-17	
				6/2	0-1	
				7	3-0	
				14/1	2-0	
				14/2	0-10	
				15	0-10	
				16	0-12	
				17	2-0	

1	2	3	4	5	6	7
			कुशल—चालू	24	1-10	
				25	1-4	
				158/4	0-15	
				5/1	0-5	
				5/2	1-14	
				6/2	2-17	
				7	0-1	
				15	3-0	
				16	3-0	
				25	3-0	
				165/5	3-0	
				6	2-17	
				15	2-1	
				16	1-0	
				25	0-2	
				164/10	0-1	
				11	0-10	
				20/2	2-3	
				21	2-18	
				178/1	3-1	
				10	3-1	
				11	3-1	
				20	3-1	
				21/2	2-2	
				21/2	0-18	
				180/1	2-9	
				2/1	0-1	
				2/2	0-5	
				9	1-8	
				10	1-6	
				11	0-10	
				12	2-5	
				19	2-6	
				20	0-1	
				21	0-2	
				218	0-8	
				615	0-6	
				624	0-16	
				239	0-5	
				629	0-5	
				633	0-16	
				657	0-4	
				231	0-2	
				214	5-10	
				263	0-4	
				625	0-12	

1	2	3	4	5	6	7
				703	1-4	
				711	0-5	
				712	1-5	
				योग	312-14	
				एकड़	39.087	
				हेक्टर	15.822	
फरीदाबाद	पलवल	पलवल	जलहाका	4/15	1-17	
				26	0-2	
				16/1	2-0	
				16/2	0-7	
				25/1	2-18	
				24	0-1	
				6/4	0-12	
				5	2-8	
				6	1-17	
				7	1-3	
				14/2	1-13	
				15/1	0-7	
				15/2	0-10	
				15/3	0-6	
				15/4	0-5	
				16	1-2	
				17	1-18	
				6/24	2-10	
				25	0-10	
				13/4	2-18	
				5/1	0-2	
				7/1	1-8	
				7/2	1-12	
				14	2-18	
				17	3-0	
				24/1	0-15	
				24/3	2-2	
				26	0-3	
				19/4	2-14	
				5/1	0-1	
				7/1	0-16	
				7/2	0-19	
				6	0-5	
				19/15	0-15	
				14/2	2-6	
				16	0-18	
				17	2-2	
				24	1-9	
				25	1-3	

1	2	3	4	5	6	7
			जलहाका चालू	26	0-8	
				26/4	1-10	
				5	1-8	
				6	1-10	
				7	1-9	
				14	1-9	
				15	1-10	
				16	1-10	
				17	1-9	
				24	1-10	
				25	1-10	
				34/4	1-10	
				5	1-10	
				6	1-10	
				7	1-10	
				34/14	1-10	
				15	1-10	
				16	1-10	
				17	1-10	
				24	1-10	
				25	1-10	
				38/4	1-10	
				5/1	1-8	
				6	1-3	
				7	1-10	
				14	1-10	
				15	1-8	
				16	1-10	
				17	1-10	
				24	1-10	
				25	1-10	
				45/4	1-10	
				5/1	1-10	
				6	1-10	
				7/1	1-10	
				14/2	1-10	
				15	1-10	
				16	1-10	
				17	1-10	
				24	1-10	
				25	1-0	
				47/4	0-15	
				5	0-2	
				63	0-9	
				139	0-4	
				74	0-8	
				67	1-0	
				140	0-2	
				76	0-7	
			जलहाका चालू	योग	113-1	
				एकड़	11-131	
			■	हेक्टर	5.720	

1	2	3	4	5	6	7
फरीदाबाद	पलवल	पलवल	अमरपुर	8/17	1.10	
				24	3.0	
				19/4	3.0	
				7	3.0	
				14	2.1	
				17	2.9	
				24	3.0	
				22/4	3.0	
				7	3.0	
				14/1	3.0	
				17	3.0	
				24/1	0.17	
				24/2	2-3	
				31/4/1	1-14	
				4/2	1-6	
				7	0-16	
				218	0-8	
				46	0-10	
				योग	37-14	
				एकड़	4.712	
				हेक्टर	1.907	
फरीदाबाद	पलवल	पलवल	डाढोता	9/7	1-14	
				14	3-0	
				17	2-8	
				23	0-2	
				24	2-5	
				12/3/1	0-2	
				3/2	0-14	
				4	2-5	
				7	2-18	
				8	0-2	
				14	3-0	
				17	3-0	
				24	3-0	
				19/4	1-9	
				7	0-1	
				35	0-12	
				योग	26-12	
				एकड़	3.325	
				हेक्टर	1.345	

1	2	3	4	5	6	7
फरीदाबाद	पलवल	पलवल	सुजवाडी	21/10/1	1—8	
				10/2	0—10	
				11/1	1—3	
				11/2	1—17	
				20	3—0	
				21	3—0	
				22/1	3—0	
				10/1/1	1—10	
				10/1/2	1—4	
				11	3—0	
				20/1	2—19	
				20/2	0—1	
				21	2—19	
				22/2	0—1	
				33/1	2—18	
				2	0—2	
				10/1	1—16	
				10/2	1—0	
				11/1	0—9	
				11/2	0—5	
				11/3	0—1	
				302	0—6	
				योग	32—9	
				एकड़	4. 056	
				हेक्टर	1. 642	
फरीदाबाद	पलवल	पलवल	लालगढ़	11/7	9—12	
				14	3—0	
				15	0—12	
				16	1—0	
				17	2—12	
				25	0—17	
				योग	8—13	
				एकड़	1. 1	
				हेक्टर	0. 40	
फरीदाबाद	पलवल	पलवल	कुलैना	35/25	0—10	
				36/4	0—15	
				5	1—8	
				16	1—4	
				17	1—16	
				24	1—19	
				25	1—1	
				44/4	2—0	
				5	1—0	
				6/2	0—15	
				7	2—5	

1	2	3	4	5	6	7
				14/2	2—5	
				15	0—11	
				16/2	0—7	
				17/1	1—4	
				17/2	1—9	
				24	2—15	
				25/1	0—4	
				25/3	0—1	
				46/4	2—17	
				5	0—3	
				6	0—2	
				7	2—18	
				14	2—18	
				15	0—2	
				16	0—1	
				17	1—9	
				52	6—0	
				44/14/1	0—4	
				योग	40—3	
				हैक्टर	2.031	
				एकड़	5.018	

[सं. एल-14016/9/94-जी.पी.]

अर्थेन्दु सेन, निदेशक

New Delhi, the 15th September, 1994

S.O. . . 2567—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-gradation Gas Pipe line in Haryana State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Up-gradation, Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabd, .U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

CASE SCHEDULE

H.B.J. Upgradation pipe line Project

District	Tehsil/ Sub-Teh.	Pargana Sub-Div.	Village	Khasra/Kila Plot No.	Acquired area in Kanal/Marlas	Remarks
1	2	3	4	5	6	7
Faridabad	Palwal	Palwal	Rampur khor	7//4	1—10	
				7	2—19	
				14	3—0	
				16/2	0—4	
				17	2—16	
				24	2—1	
				25/1	0—19	
				17//4	1—10	
				5/1	1—9	
				5/2	0—1	
				6/1	1—8	
				6/2	0—12	
				7	1—0	
				14/3	1—0	
				1/5	2—0	
				16/2	1—13	
				17/1	0—14	
				17/3	0—4	
				17//24	1—4	
				25/1	1—6	
				25/2	0—5	
				20//4/1	0—10	
				4/2	0—14	
				5/1	1—5	
				5/2	0—11	
				6	1—17	
				7	1—3	
				14	1—7	
				15	1—13	
				16	1—13	
				17/1	0—3	
				17/2	1—4	
				24	1—3	
				25	1—17	
				31//4	0—17	
				5	2—3	
				6	2—15	
				7	0—5	
				15/1	3—0	
				16	3—0	
				25/1	0—10	
				25/2	2—8	
				33//5/1	2—9	
				5/2	0—4	
				6/1	2—5	
				6/2	0—8	
				15/2	3—0	

1	2	3	4	5	6	7
			Rampur Khor	16	2—10	
				25	1—15	
				34//11	0—1	
				20/2	0—2	
				20/3	0—7	
				21/1	0—12	
				21/2	0—13	
				42//1/1	1—14	
				10	2—8	
				11	2—17	
				20	2—19	
				21	3—0	
				43//5	1—6	
				6	0—12	
				15	0—3	
				16/1	0—1	
				45//1	3—0	
				10	1—0	
				56	0—14	
				61	0—4	
				56min	0—10	
				111	0—2	
				Total	92—9	
				Acres	11.556	
				Hectare	4.678	
Faridabad	Palwal	Palwal	Kushak	1/14	0—3	
				17	3—5	
				18	0—1	
				24	3—2	
				25	0—5	
				7/11	0—6	
				2	2—7	
				21/1	1—10	
				21/2	1—19	
				8/4	0—19	
				5	2—8	
				6/1	1—18	
				6/2	1—7	
				15/1	0—5	
				15/2	2—14	
				16	0—16	
				12/1	2—18	
				2	0—11	
				9	2—17	
				10	0—11	
				12	3—8	
				13	0—1	
				18	1—19	
				19	1—13	
				23	3—12	
				19/3	2—14	
				4/1	1—0	

1	2	3	4	5	6	7
Faridabad	Palwal	Palwal	Kushak	7/1	1—10	
				7/2	1—4	
				8	0—3	
				14	3—0	
				15	0—11	
				16/1	2—9	
				19/16/2	0—11	
				17	0—12	
				25	3—10	
				18//21	0—4	
				26//5	1—2	
				27/1	2—8	
				10	3—4	
				9	0—1	
				11	1—12	
				12	2—3	
				18	0—2	
				19	3—13	
				22	1—12	
				23	2—4	
				33/3	3—16	
				7	1—12	
				8	2—6	
				13	0—1	
				14	3—14	
				16	1—4	
				17	2—9	
				24	0—2	
				25	3—4	
				42/5	3—3	
				6	0—19	
				43/1/1	0—3	
				10	2—4	
				11	3—5	
				20	3—4	
				19	0—2	
				21	1—6	
				22	2—1	
				48/1	0—1	
				2	3—7	
				9	3—5	
				12	1—0	
				13	2—7	
				18	3—12	
				23	2—2	
				24	1—11	
				60//3	0—2	
				4	3—8	
				6	0—8	
				7	3—4	
				14	0—13	
				15	2—19	
				16/1	1—15	

1	2	3	4	5	6	7
			Kushak—contd.	16/2	1—14	
				25	1—11	
				61/20/2	0—1	
				21	2—2	
				66/1	3—15	
				9	0—3	
				10	3—2	
				66/11	0—10	
				21	0—5	
				22	2—16	
				67/5	0—1	
				82/2	3—0	
				9	3—0	
				12	3—0	
				19	3—0	
				22	3—0	
				23	0—1	
				90/2	2—9	
				3	0—11	
				8	1—10	
				9	1—11	
				12	0—17	
				13	2—3	
				18	2—19	
				19	0—2	
				23	3—0	
				108/3	2—17	
				8	3—1	
				13/1	1—4	
				13/2	1—16	
				18/1	2—2	
				18/2	1—1	
				23/1	1—5	
				23/2	1—17	
				24	0—1	
				116/3/1	0—6	
				3/2	2—6	
				4	0—7	
				7	1—0	
				8	1—13	
				13	1—2	
				14	1—13	
				17	2—1	
				18	1—0	
				23	0—10	
				24	2—10	
				134/3	0—1	
				4/1	2—19	
				7	2—15	
				134/14	3—0	
				17/1	0—8	

1	2	3	4	5	6	7
			Kushak-Contd.	134/17/2	1-6	
				17/3	0-11	
				24	3-0	
				26	0-5	
				141/4/1	0-1	
				4/2	0-1	
				4/3	2-17	
				6/2	0-1	
				7	3-0	
				14/1	2-0	
				14/2	0-10	
				15	0-10	
				16	0-12	
				17	2-0	
				24	1-10	
				25	1-4	
				158/4	0-15	
				5/1	0-5	
				5/2	1-14	
				6/2	2-17	
				7	0-1	
				15	3-0	
				16	3-0	
				25	3-0	
				165/5	3-0	
				6	2-17	
				15	2-1	
				16	1-0	
				25	0-2	
				164/10	0-1	
				11	0-18	
				20/2	2-3	
				21	2-18	
				178/1	3-1	
				10	2-1	
				11	3-1	
				20	3-1	
				21/1	2-2	
				21/2	0-18	
				180/1	2-9	
				2/1	0-1	
				2/2	0-5	
				9	1-8	
				10	1-6	
				11	0-10	
				180/12	2-5	
				19	2-6	
				20	0-1	
				21	0-2	
				218	0-8	
				615	0-6	
				624	0-16	
				239	0-5	
				629	0-5	
				633	0-16	

1	2	3	4	5	6	7
			Kushak- Contd	657	0—4	
				231	0—2	
				214	5—10	
				263	0—4	
				625	0—12	
				703	1—4	
				711	0—5	
				712	1—5	
				Total	312—14	
				Acres	39.087	
				Hectares	15.822	
Faridabad	Palwal	Palwal	Jhalhaka	*4/15	1—17	
				26	0—2	
				16/1	2—0	
				16/2	0—7	
				25/1	2—18	
				24	0—1	
				6/4	0—12	
				5	2—8	
				6	1—17	
				7	1—3	
				14/2	1—13	
				15/1	0—7	
				15/2	0—10	
				15/3	0—6	
				15/4	0—5	
				16	1—2	
				17	1—18	
				6/24	2—10	
				25	0—10	
				13/4	2—18	
				5/1	0—2	
				7/1	1—18	
				7/2	1—12	
				14	2—18	
				17	3—0	
				24/1	0—15	
				24/3	2—2	
				26	0—3	
				19/4	2—14	
				5/1	0—1	
				7/1	0—16	
				7/2	0—19	
				6	0—5	
				19/15	0—15	
				14/2	2—6	
				16	0—18	
				17	2—2	
				24	1—9	
				25	1—3	
				26	0—8	
				26/4	1—10	

1	2	3	4	5	6	7
			Jhalhaka-Contd.	5	1—8	
				6	1—10	
				7	1—9	
				14	1—9	
				15	1—10	
				16	1—10	
				17	1—9	
				24	1—10	
				25	1—10	
				34/4	1—10	
				5	1—10	
				6	1—10	
				7	1—10	
				34/14	1—10	
				15	1—10	
				16	1—10	
				17	1—10	
				24	1—10	
				25	1—10	
				38/4	1—10	
				5/1	1—8	
				6	1—3	
				7	1—10	
				14	1—10	
				15	1—8	
				16	1—10	
				17	1—10	
				24	1—10	
				25	1—10	
				45/4	1—10	
				5/1	1—10	
				6	1—10	
				7/1	1—10	
				14/2	1—10	
				15	1—10	
				16	1—10	
				17	1—10	
				24	1—10	
				25	1—0	
				47/4	0—15	
				5	0—2	
				63	0—9	
				139	0—4	
				74	0—8	
				67	1—0	
				140	0—2	
				76	0—7	
				Total	113—1	
				Acres	11.137	
				Hectares	5.720	

1	2	3	4	5	6	7
Faridabad	Palwal	Palwal	Amarpur	8/17 24 19/4 7 14 17 24 22/4 7 14/1 17 24/1 24/2 31/4/1 4/2 7 218 46	1—10 3—0 3—0 3—0 2—1 2—9 3—0 3—0 3—0 3—0 3—0 0—17 2—3 1—14 1—6 0—16 0—8 0—10	Road pacca 0—18
				Total Acres Hectares	37—14 4—712 1.907	
Faridabad	Palwal	Palwal	Dadhota	9/7 14 17 23 24 12/3/1 3/2 4 7 8 14 17 24 19/4 7 35	1—14 3—0 2—8 0—2 2—5 0—2 0—14 2—5 2—18 0—2 3—0 3—0 3—0 1—9 0—1 0—12	Canal 1—10
				Total Acres Hectares	26—12 3—325 1—345	
Faridabad	Palwal	Palwal	Sujwari	21/10/1 10/2 11/1 11/2 20 21 22/1 10/1/1 10/1/2 11	1—8 0—10 1—3 1—17 3—0 3—0 3—0 1—10 1—4 3—0	

1	2	3	4	5	6	7
Faridabad	Palwal	Palwal	Sujwari (Contd.)	20/1 20/2 21 22/2 33/1 2 10/1 10/2 11/1 11/2 11/3 302 Total Acres Hectares	2—19 0—1 2—19 0—1 2—18 0—2 1—16 1—0 0—9 0—5 0—1 0—6 32—9 4.056 1.642	
Faridabad	Palwal	Palwal	Lalgarh	11/7 14 15 16 17 25 Total Acres Hectares	9—12 3—0 0—12 1—0 2—12 0—17 8—13 1—1 0—40	
Faridabad	Palwal	Palwal	Kulena	35/25 36/4 5 16 17 24 25 44/4 5 6/2 7 14/2 15 16/2 17/1 71/2 24 25/1 25/3 46/4 5 6 7 14 15 16 17 52 44/14/1 Total Acres Hectares	0—10 0—15 1—8 1—4 1—16 1—19 1—1 2—0 1—0 0—15 2—5 2—5 0—11 0—7 1—4 1—9 2—15 0—4 0—1 2—17 0—3 0—2 2—18 2—18 0—2 0—1 1—9 6—0 0—4 40—3 5.018 2.031	

नई दिल्ली, 15 सितम्बर, 1994

का.आ. 2568.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि हरियाणा राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथॉरिटी ऑफ इंडिया द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 40) के खण्ड-3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

यद्यपि कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1, नौएडा गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

वाद—अनुसूची

एच.बी.जे. अपग्रेडेशन पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना उप मंडल	मौजा	गाटा संख्या खसरा—प्लॉट	अर्जित क्षेत्र. बीघा/एकड़/हेक्टर. कनाल/मरला	अन्य विवरण
1	2	3	4	5	6	7
फरीदाबाद	होडल	पलवल	रामगढ़	4/21	1—6	
				12/1	2—11	
				2	0—9	
				9	1—10	
				10	1—10	
				11	0—10	
				12	2—11	
				19	3—1	
				20	0—2	
				22	3—0	
				14/2/1	1—4	
				2/2	1—12	
				9	3—0	
				12	2—13	
				13	0—1	
				18	0—19	
				19	0—3	
				22/1	0—1	
				22/2	0—19	
				23	2—3	
				27	1—10	
				22/2	0—1	
				3/1	2—1	

1	2	3	4	5	6	7
फरीदाबाद	होडल	पलवल	राममढ़	3/2	0-14	
				8	3-1	
				22/13	3-1	
				18	3-1	
				23/2	1-1	
				32/3	1-5	
				24	0-5	
				27/3/1	1-1	
				3/2	0-9	
				4	1-10	
				7	2-12	
				8/1	0-9	
				8/2	0-1	
				14	3-2	
				17	3-2	
				24/1	1-7	
				24/2	0-11	
				26	0-11	
				32/4/1	2-4	
				4/2	0-10	
				5	0-6	
				6/2	1-13	
				7/1	0-1	
				7/2	1-6	
				14/1	0-3	
				15/1	1-15	
				15/2	1-6	
				16/2	3-2	
				36/1	0-5	
				10/1	1-12	
				10/2	0-5	
				11	2-19	
				20	3-1	
				21	3-1	
				37		
				5/2	0-6	
				5/3	1-5	
				6/1	1-3	
				6/2	0-1	
				15/2	0-2	
				40/1	1-1	
				51	0-14	
				53	0-12	
				108	0-6	
				110	0-6	
				46	4-10	
				योग	93-15	
				एकड़	11.718	
				हेक्टर	4.742	

1	2	3	4	5	6	7
फरीदाबाद	होडल	पलवल	गुलावद	37/22	1--5	
				19	0--2	
				23	0--14	
				39/2	1--10	
				3	1--10	
				8/3	1--6	
				8/2	0--1	
				9	1--10	
				12/1	1--0	
				12/2	0--9	
				13	1--4	
				18	1--8	
				19/1	1--8	
				22	1--4	
				23	1--4	
				59/2/2	1--16	
				3	1--4	
				8	0--16	
				9	2--4	
				12	2--7	
				13/1	0--13	
				18	0--4	
				19	2--16	
				22	2--18	
				23	0--1	
				62/2	3--0	
				3	0--1	
				9	2--16	
				12	3--0	
				19	3--0	
				22	3--0	
				81/2/2	3--1	
				9/2	2--16	
				12	3--2	
				19	3--2	
				22/2	3--0	
				84/2/1	0--5	
				2/2	2--0	
				8	0--3	
				9	2--10	
				12	3--0	
				19	3--0	
				22	3--0	
				100/2	3--0	
				9	3--0	
				12	3--0	
				19	2--5	

1	2	3	4	5	6	7
			गुलावद ज़ारी	155	0—12	
				174	0—4	
				718	0—10	
				719	0—4	
				720	0—4	
				185	0—18	
				योग	88—7	
				एकड़	11.043	
				हैक्टर	4.470	
फरीदाबाद	होशंग	पलवल	सहनीली	1/25	0—2	
				8/4	2—18	
				6	0—1	
				7	2—14	
				14	2—0	
				15/1	0—12	
				16/1	0—9	
				16/2	1—2	
				17/1	1—3	
				24	0—9	
				25/1	0—9	
				25/2	1—11	
				11/4/2	0—1	
				5/1	1—19	
				5/2	1—0	
				6	2—16	
				15/1	3—0	
				16	3—0	
				25	3—0	
				20/1	0—1	
				10/1	0—6	
				10/2	0—5	
				11	1—7	
				20	2—0	
				21	2—6	
				21/5	3—0	
				6	2—8	
				15	1—13	
				16	0—16	
				25/2	0—4	
				24/1/1/1	0—1	
				1/1/2	1—17	
				10/1	1—6	
				10/2	1—15	
				11	3—0	
				20	3—0	

1	2	3	4	5	6	7
फरीदाबाद	होडल	पलबल	सहनीली जारी	21	2—7	
				32/2	0—2	
				62	0—4	
				60	0—6	
				70	1—1	
				80	0—4	
				योग	57—15	
				एकड़	7.218	
				हेक्टर	2.921	
फरीदाबाद	होडल	पलबल	लीखी	30/11	0—10	
				20/1	0—7	
				20/2	1—12	
				21	2—17	
				22	0—4	
				31/1	2—1	
				2	1—2	
				9	1—6	
				10	0—14	
				49/23	2—10	
				50/3	3—1	
				8	3—1	
				13	3—1	
				18	2—17	
				23	2—5	
				24	0—16	
				67/3/2	1—8	
				4	1—12	
				7	2—5	
				8	0—16	
				13	0—3	
				14/1	0—19	
				14/2	1—10	
				17	1—15	
				24	1—2	
				68/4	0—9	
				154	0—5	
				योग	40—8	
				एकड़	5.050	
				हेक्टर	2.043	

1	2	3	4	5	6	7
फरीदाबाद	होडल	पलवल	भीड़ोसी	35/1	2—0	
				10	3—1	
				11	2—19	
				12	0—2	
				19	0—18	
				20	1—14	
				21	0—17	
				22	2—4	
				38/1	0—1	
				2	3—0	
				9	3—1	
				12	3—1	
				19	3—1	
				22	2—12	
				23	0—5	
				53/2	1—12	
				3	1—1	
				8	2—2	
				9	0—10	
				13	3—1	
				18	3—1	
				23/2	3—1	
				56/3/1	0—16	
				3/2	2—1	
				4	0—3	
				7	1—6	
				8	1—15	
				13	0—12	
				14	2—3	
				87	0—8	
				172	0—18	
				योग	53—6	
				एकड़	6.662	
				हैक्टर	2.696	
फरीदाबाद	होडल	पलवल	हसनपुर	15/16/2	1—12	
				17	0—19	
				24	1—2	
				25/1	1—15	
				17/4/1	0—12	
				4/2	0—12	
				5/1	1—15	
				6/2	1—10	
				7	1—10	

1	2	3	4	5	6	7
				14	1--9	
				15	1--9	
				16/2	1--10	
				17	1--10	
				24/2	1-2	
				25	2--0	
				32/4/2	0--2	
				5/1	2--13	
				5/2	0--8	
				6	3--1	
				15/1	1-13	
				15/2	1--5	
				16	2--13	
				25	1--8	
				31/20	0--9	
				21	1--13	
				34/5	0--5	
				35/1	2--16	
				10	3--1	
				11	2--6	
				19/3	0--2	
				20	0--16	
				22	0--2	
				49/9	1--7	
				12	3--2	
				19/1	3--0	
				19/2	0--2	
				22	3--2	
				51/2/2	0--9	
				2/3	2--10	
				3/2	0--3	
				8	1--2	
				9	2--0	
				12/2	1--2	
				13	1--19	
				18	1--15	
				19	0--5	
			हसनपुर-बालू	51/28	1--0	
				66/14/1	0--5	
				14/2	0--6	
				17	1--10	
				66/24	1--2	
				514	0--4	
				515	0--4	
				516	0--4	
				209	1--7	
				योग	73--0	
				एकड़	9.125	
				हेक्टर	3.692	

1	2	3	4	5	6	7
फरीदाबाद	होडल	पलबल	जटौली	1/ 22	4—2	
				9/ 2/ 1	1—6	
				2/ 2	1—6	
				9	3—0	
				12	3—0	
				19	3—0	
				13/ 2	3—0	
				8	0—5	
				9	2—16	
				12/ 1	1—17	
				12/ 2	0—10	
				13	0—13	
				18	1—9	
				19/ 1	1—10	
				22	0—13	
				23	2—7	
				24/ 2	0—3	
				3	2—14	
				8/ 1	2—8	
				8/ 2	0—12	
				13/ 1	2—0	
				13/ 2	1—0	
				18/ 1	2—2	
				18/ 2	0—13	
				23	3—0	
				29/ 3	3—0	
				8	3—0	
				13	2—16	
				18	2—8	
				17	0—3	
				23	1—15	
				24/ 1	1—6	
				4/ 23	0—12	
				4/ 1	2—9	
				7/ 1	1—19	
				7 2	0—19	
				14/ 2	3—2	
				17	3—2	
				24 1	1—10	
				24 2	1—5	
				25/ 1	0—2	
				45/ 4	2—3	
				5	0—18	
				6	2—0	

1	2	3	4	5	6	7
			जटौली चालू	7	1—0	
				14	0—7	
				15	2—13	
				16	2—15	
				17	0—5	
				24/2	0—10	
				25	2—5	
				57/4	0—17	
				5	2—3	
				6/1	1—5	
				6/2	0—15	
				7	1—0	
				14	1—3	
				15	2—1	
				69	0—4	
				70	0—4	
				71	0—4	
				72	0—4	
				677	0—4	
				73	0—8	
				74	0—4	
				75	0—6	
				80	0—4	
				योग	103—16	
				एकड़	12.975	
				हेक्टर	5.250	

[सं. एन—14016/9/54-जी.पी.]

अर्धेन्द्र सेन, निदेशक

New Delhi, the 15th September, 1994

S.O. 2568-Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-gradation Gas pipe line in Haryana State. Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Up-gradation, Pipeline Project, P.D.I.L. Building, A-14 Sector-14, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

CASE SCHEDULE

H.B.J. Upgradation Pipe line project.

District	Sub Tehsil	Sub. Div. Pargana	Village	Plot No.	Acquired area in Bigha/Acres Kanal/Marla	Remarks
1	2	3	4	5	6	7
Faridabad	Hodal	Palwal	Ramgarh	4		
				21	1—6	
				12		
				1	2—11	
				2	0—9	
				9	1—10	
				10	1—10	
				11	0—10	
				12	2—11	
				19	3—1	
				20	0—2	
				22	3—0	
				14		
				2/1	1—4	
				2/2	1—12	
				9	3—0	
				12	2—13	
				13	0—1	
				18	0—19	
				19	0—3	
				22/1	0—1	
				22/2	0—19	
				23	2—3	
				27	1—10	
				22		
				2	0—1	
				3/1	2—1	
				3/2	0—14	
				8	3—1	
				22		
				13	3—1	
				18	3—1	
				23/2	1—1	
				32/3	1—5	
				24	0—5	
				27		
				3/1	1—1	
				3/2	0—9	
				4	1—10	
				7	2—12	
				8/1	0—9	
				8/2	0—1	
				14	3—2	
				17	3—2	
				24/1	1—7	
				24/2	0—11	
				26	0—11	

1	2	3	4	5	6	7
				32		
			Ramgarh-Contd.	4/1	2-4	
				4/2	0-10	
				5	0-6	
				6/2	1-13	
				7/1	0-1	
				7/2	1-6	
				14/1	0-3	
				15/1	1-15	
				15/2	1-6	
				16/2	3-2	
				36		
				1	0-5	
				10/1	1-12	
				10/2	0-5	
				11	2-19	
				20	3-1	
				21	3-1	
				37		
				5/2	0-6	
				5/3	1-5	
				6/1	1-3	
				6/2	0-1	
				15/2	0-2	
				40		
				1	1-1	
				51	0-14	
				53	0-12	
				108	0-6	
				110	0-6	
				46	4-10	
				Total	93-15	
				Acres	11.718	
				Hectares	4.742	
				37		
Faridabad	Hodal	Palwal	Gulabad	22	1-5	
				19	0-2	
				23	0-14	
				39/2	1-10	
				3	1-10	
				8/3	1-6	
				8/2	0-1	
				9	1-10	
				12/1	1-0	
				12/2	0-9	
				13	1-4	
				18	1-8	
				19/1	1-8	
				22	1-4	
				23	1-4	
				59/2/2	1-16	
				3	1-4	

1	2	3	4	5	6	7
			Gulabad-contd.	8	0—16	
				9	2—4	
				12	2—7	
				13/1	0—13	
				18	0—4	
				19	2—16	
				22	2—18	
				23	0—1	
				62/2	3—0	
				3	0—1	
				9	2—16	
				12	3—0	
				19	3—0	
				22	3—0	
				81/2/2	3—1	
				9/2	2—16	
				12	3—2	
				19	3—2	
				22/2	3—0	
				84/2/1	0—5	
				2/2	2—0	
				8	0—3	
				9	2—10	
				12	3—0	
				19	3—0	
				22	3—0	
				100/2	3—0	
				9	3—0	
				12	3—0	
				19	2—5	
				155	0—12	
				174	0—4	
				718	0—10	
				719	0—4	
				720	0—4	
				185	0—18	
				Total	88—7	
				Acres	11.043	
				Hectares	4.470	
Faridabad	Hodal	Palwal	Sahnoli	1/25	0—2	
				8/4	2—18	
				6	0—1	
				7	2—14	
				14	2—0	
				15/1	0—12	
				16/1	0—9	
				16/2	1—2	
				17/1	1—3	
				24	0—9	
				25/1	0—9	
				25/2	1—11	
				11/4/2	0—1	
				5/1	1—19	

1	2	3	4	5	6	7
			Sahnoli-Contd.	5/2	1—0	
				6	2—16	
				15/1	3—0	
				16	3—0	
				25	3—0	
				20/1	0—1	
				10/1	0—6	
				10/2	0—5	
				11	1—7	
				20	2—0	
				21	2—6	
				21/5	3—0	
				6	2—8	
				15	1—13	
				16	0—16	
				25/2	0—4	
				241/1/1	0—1	
				1/1/2	1—17	
				10/1	1—6	
				10/2	1—15	
				11	3—0	
				20	3—0	
				21	2—7	
				32/2	0—2	
				62	0—4	
				60	0—6	
				70	1—1	
				80	0—4	
				Total	57—15	
				Acres	7.218	
				Hectares	2.921	
Faridabad	Hodal	Palwal	Likhi	30		
				11	0—10	
				20/1	0—7	
				20/2	1—12	
				21	2—17	
				22	0—4	
				31		
				1	2—1	
				2	1—2	
				9	1—6	
				10	0—14	
				49		
				23	2—10	
				50		
				3	3—1	
				8	3—1	
				13	3—1	
				18	2—17	
				23	2—5	
				24	0—16	

1	2	3	4	5	6	7
				Likhi-Contd. 67		
				3/2	1—8	
				4	1—12	
				7	2—5	
				8	0—16	
				13	0—3	
				14/1	0—19	
				14/2	1—10	
				17	1—15	
				24	1—2	
				68		
				4	0—9	
				154	0—5	
				Total	40—8	
				Acres	5.050	
				Hectares	2.043	
Faridabad	Hodal	Palwal	Bhandoli	35/1	2—0	
				10	3—1	
				11	2—19	
				12	0—2	
				19	0—18	
				20	1—14	
				21	0—17	
				22	2—4	
				38		
				1	0—1	
				2	3—0	
				9	3—1	
				12	3—1	
				19	3—1	
				22	2—12	
				23	0—5	
				53		
				2	1—12	
				3	1—1	
				8	2—2	
				9	0—10	
				13	3—1	
				18	3—1	
				23/2	3—1	
				56		
				3/1	0—16	
				3/2	2—1	
				4	0—3	
				7	1—6	
				8	1—15	
				13	0—12	
				14	2—3	
				87	0—8	
				17/2	0—18	
				Total	53—6	
				Acres	6.662	
				Hectares	2.696	

1	2	3	4	5	6	7
Faridabad	Hodal	Palwal	Hasanpur	15		
				16/2	1—12	
				17	0—19	
				24	1—2	
				25/1	1—15	
				17		
				4/1	0—12	
				4/2	0—12	
				5/1	1—15	
				6/2	1—10	
				7	1—10	
				14	1—9	
				15	1—9	
				16/2	1—10	
				17	1—10	
				24/2	1—2	
				25	2—0	
				32		
				4/2	0—2	
				5/1	2—13	
				5/2	0—8	
				6	3—1	
				15/1	1—13	
				15/2	1—5	
				16	2—13	
				25	1—8	
				31		
				20	0—9	
				21	1—13	
				34		
				5	0—5	
				35		
				1	2—16	
				10	3—1	
				11	2—6	
				19/3	0—2	
				20	0—16	
				22	0—2	
				49		
				9	1—7	
				12	3—2	
				19/1	3—0	
				19/2	0—2	
				22	3—2	
				51		
				2/2	0—9	
				2/3	2—10	
				3/2	0—3	
				8	1—2	
				9	2—0	
				12/2	1—2	
				13	1—19	
				18	1—15	
				19	0—5	
				28	1—0	

1	2	3	4	5	6	7
Hasanpur—contd. 66						
				14/1	0—5	
				14/2	0—6	
				17	1—10	
				66		
				24	1—2	
				5/4	0—4	
				5/5	0—4	
				5/6	0—4	
				209	1—7	
Total					73—0	
Acres					9.125	
Hectares					3.692	
Faridabad	Hodal	Palwat	Jatoli	1		
				22	4—2	
				9		
				2/1	1—6	
				2/2	1—6	
				9	3—0	
				12	3—0	
				22	3—0	
				19	3—0	
				13		
				2	3—0	
				8	0—5	
				9	2—16	
				12/1	1—17	
				12/2	0—10	
				13	0—13	
				18	1—9	
				19/1	1—10	
				22	0—13	
				23	2—7	
				24		
				2	0—3	
				3	2—14	
				8/1	2—8	
				8/2	0—12	
				13/1	2—0	
				13/2	1—0	
				18/1	2—2	
				18/2	0—13	
				23	3—0	

1	2	3	4	5	6	7
			Jatoli-contd	29		
				3	3—0	
				8	3—0	
				13	2—16	
				18	2—8	
				17	0—3	
				23	1—15	
				24/1	1—6	
				42		
				3	0—12	
				4/1	2—9	
				7/1	1—19	
				7/2	0—19	
				14/2	3—2	
				17	3—2	
				24/1	1—10	
				24/2	1—5	
				25/1	0—2	
				45/		
				4	2—3	
				5	0—18	
				6	2—0	
				7	1—0	
				14	0—7	
				15	2—13	
				16	2—15	
				17	0—5	
				24/2	0—10	
				25	2—5	
				57		
				4	0—17	
				5	2—3	
				6/1	1—5	
				6/2	0—15	
				7	1—0	
				14	1—3	
				15	2—1	
				69	0—4	
				70	0—4	
				71	0—4	
				72	0—4	
				677	0—4	
				73	0—8	
				74	0—4	
				75	0—6	
				80	0—4	
				Total	103—16	
				Acres	12—975	
				Hectares	5—250	

स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

नई दिल्ली, 2 सितम्बर, 1994

का. आ. 2569.—केन्द्रीय सरकार, भारतीय आयु-विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा-11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अनुसूची में:—

(1) “पांडिचेरी विश्वविद्यालय” शीर्षक के नीचे विद्यमान प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टि अंत में जोड़ी जाएगी, अर्थात्:—

मास्टर आफ सर्जरी (विकलांग विज्ञान) एम. एस. (आर्थो.) डिप्लोमा इन आर्थोपेडिक्स डी. आर्थो.

टिप्पण:—उक्त अर्हताएं मान्यताप्राप्त चिकित्सा अर्हताएं तभी होंगी जब ये पांडिचेरी विश्वविद्यालय द्वारा जवाहरलाल स्नातकोत्तर चिकित्सा शिक्षा और अनुसंधान संस्थान, पांडिचेरी में प्रशिक्षण प्राप्त कर रहे छात्रों को प्रदान की जाएं और प्रत्येक पाठ्यक्रम में प्रवेश की संख्या प्रतिवर्ष दो तक निबंधित होंगी।

(ii) “कुवेम्पू विश्वविद्यालय” शीर्षक के नीचे विद्यमान प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टि अंत में जोड़ी जाएगी, अर्थात्:—

मास्टर आफ सर्जरी (विकलांग विज्ञान) एम. एस. (आर्थो.) डिप्लोमा इन आर्थोपेडिक्स डी. आर्थो.

टिप्पण:—उपर्युक्त अर्हताएं मान्यताप्राप्त चिकित्सा अर्हताएं तभी होंगी जब वे कुवेम्पू विश्वविद्यालय द्वारा जे. एम. मेडिकल कालेज, दावणगेरे में प्रशिक्षण प्राप्त कर रहे छात्रों को प्रदान की जाएं।

[सं. बी.-11015/21/94—एम ई (यू. जी.)]

एस. के. मिश्रा, डेस्क अधिकारी

MINISTRY OF HEALTH AND FAMILY WELFARE
(Department of Health)

New Delhi, the 2nd September, 1994

S.O. 2569.—In exercise of the powers conferred by sub-section 2 of section 11 of Indian Medical Council Act, 1956 (102 of 1956), the Central Government after consulting the Medical Council of India hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule:

(i) under the heading ‘Pondicherry University’, after the existing entries, the following entry shall be added at the end, namely:—

Master of Surgery (Orthopaedics) M.S. (Ortho.)
Diploma in Orthopaedics D. Ortho.

Note.—The above qualifications shall be recognised medical qualifications when awarded by Pondicherry University in respect of students being trained at Jawaharlal Institute of Post Graduate Medical Education and Research, Pondicherry and the number of admissions per year shall be restricted to two in respect of each of the courses.

(ii) under the heading “Kuvempu University”, after the existing entries, the following entry shall be added at the end, namely:—

Master of Surgery (Orthopaedics) M.S. (Ortho.)
Diploma in Orthopaedics D. Ortho.

Note.—The above qualifications shall be recognised medical qualifications when granted by Kuvempu University in respect of students being trained at J.J.M. Medical College, Davangere.

[No. V. 11015/21/94-ME(UG)]
S. K. MISHRA, Desk Officer

नई दिल्ली, 8 सितम्बर, 1994

का. आ. 2570.—केन्द्रीय सरकार ने, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के खंड (च) के अनुसरण में, डा. एल. के. गांधी को, डा. जी. एल. मबरवाल के, जिनकी अवधि 20 जुलाई, 1991 को समाप्त हो गई, स्थान पर 25 अगस्त, 1994 से भारतीय दंत चिकित्सा परिषद् का सदस्य नामनिर्दिष्ट किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) के साथ पठित धारा 3 के खंड (च) के अनुसरण में, भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) की अधिसूचना सं. का. आ. 430, तारीख 24 जनवरी, 1984 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, “धारा 3 के परन्तुक के साथ पठित खंड (च) के अधीन नामनिर्दिष्ट” शीर्ष के नीचे—

क्रम संख्यांक 1 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्यांक और प्रविष्टि रखी जाएगी, अर्थात्:—

“1. डा. एल. के. गांधी, नामनिर्दिष्ट केन्द्रीय 25-8-94”।

सी-56, एन. डी. सरकार

एस. ई.-II

नई दिल्ली-110049

[संख्या बी. 12013/6/94-पी. एम. एस.]

अलोक परती, निदेशक (एम. ई.)

New Delhi, the 8th September, 1994

S.O. 2570.—Whereas in pursuance of clause (f) of section 3 of the Dentists Act, 1948 (16 of 1948), Dr. L. K. Ghandi has been nominated by the Central Government to be member of the Dental Council of India with effect from 25th August, 1994 in place of Dr. G. L. Subharwal, whose term expired on 20th July, 1991.

Now, therefore, in pursuance of clause (f) of section 3 read with sub-section (1) of section 6 of the said Act, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Health and Family Welfare (Department of Health), No. S.O. 430, dated the 24th January, 1984, namely :—

In the said notification under the heading "Nominated under clause (f) read with proviso to section 3".

For serial number 1 and the entry relating thereto, the following serial number and entry shall be substituted, namely :—

1. "Dr. L. K. Gandhi Nominated Central 25-8-1994"
C-56, N.D.S.E.II,
New Delhi-110049.

[No. V. 12013/6/94-PMS]

ALOK PERTI, Director (ME)

आदेश

नई दिल्ली, 9 सितम्बर, 1994

का. आ. 2571.—II मास्को स्टेट मेडिकल इंस्टीट्यूट, मास्को द्वारा प्रदान की गई चिकित्सा अर्हता, अर्थात् एम. डी. "फिजीशियन" भारतीय आयुर्विज्ञान परिषद् अधिनियम 1956 (1956 का 102) के प्रयोजन के लिए एक मान्यताप्राप्त अर्हता है।

और डा. गेन्नादी कालेत्स्की, जिनके पास उक्त अर्हता है, पूर्ण कार्य के लिए सर गंगाराम अस्पताल, नई दिल्ली से संलग्न है।

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 14 की उपधारा (1) के खंड (ग) के अनुसरण में, अध्यापन और पूर्ण कार्य के प्रयोजन के लिए इस आदेश के जारी करने की तारीख से छह माह की अवधि या संस्थान में उनके कर्तव्यभार की अवधि, जो भी कम हो, निर्दिष्ट करती है।

[संख्या बी. 11016/8/94-एम. ई. (यू. जी.)]
एस. के. मिश्र, डेस्क अधिकारी

ORDER

New Delhi, the 9th September, 1994

S.O. 2571.—Whereas the medical qualification, namely M.W. "Physician" granted by the II Moscow State Medical Institute, Moscow is a recognised qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956).

And, whereas, Dr. Gennadi Kaletski possessing the said qualification is attached to Sir Ganga Ram Hospital, New Delhi for charitable work.

Now, therefore, in pursuance of clause (c), sub-section 1 of section 14 of the said Act, the Central Government hereby specifies the period of six months from the date of issue of this order or for the duration of his assignment at the institution, whichever is less, for the purpose of teaching and charitable work.

[No. V. 11016/8/94-ME(UG)]

S. K. MISHRA, Desk Officer

श्रम मंत्रालय

नई दिल्ली, 1 सितम्बर, 1994

का. आ. 2572.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ बड़ौदा के प्रबंधन के संबंध में निरीक्षणों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-94 को प्राप्त हुआ था।

[संख्या एल-12012/194/85 डी -II ए/आई आर (बी-2)]

बी. के. शर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 1st September, 1994

S.O. 2572.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on the 1-9-94.

[No. L-12012/194/85-DIIA/IR(B.II)]
V. K. SHARMA, Desk Officer

ANNEXURE

EXH-13

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 BOMBAY

PRESNT :

Shri S. B. Panse, Presiding Officer.
Reference No. CGIT-2/21 of 1986

Employers in relation to the management of Bank of Baroda.

AND

Their workmen.

APPEARANCES :

For the Employers : F. Mr. R. B. Pitale, 2. Mr. L. L. D'Souza, Representatives.

For the Workmen : Mr. S. M. Dharap, Advocate.

INDUSTRY : Banking.

STATE : Maharashtra.

Bombay, dated 18th August, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi by its letter dated 26th May, 1986 had sent the following Industrial dispute for adjudication under section 10 of the Industrial Disputes Act. The reference is in the following words :

"Whether action of the management of Bank of Baroda, Central Office, Bombay in treating voluntary abandonment of service by Shri L. B. Jadhav vide letter No. CENT : STF : 4 : 1233 dated 28-10-1972 is justified ? If not, to what relief is the Workman concerned entitled ?"

2. Shri Laxman Babu Jadhav was in service of the Bank of Baroda, at Central Office as a peon. On 10-10-1967 he was appointed as a sub-staff and after initial period of pro-

bation of 6 months, he was confirmed in the services with effect from 19-4-1968. He was suffering from Jaundice in the month of May or April 1972. He approached the concerned Doctor, who certified him to be sick and asked him to take a rest for 2 weeks.

3. With the advise of the family members, the Workman thought it fit to go to his native place for rest. There, even though the treatment was taken, he could not recover and he continued to remain at native place. Thereafter the Bank wrote letters to the Applicant to furnish necessary Medical certificate for extending the leave. But the Workman could not do so. On 28th October, 1972 the Bank informed the workman that he had by his own conduct terminated the contract of employment with the Bank and abandoned the services. On 2-5-1975, the Sabhapati of Panchayat Samiti Srivardhan and the Police Patil certified him that now he is well and is in need of an employment. Thereafter on 24-5-1975 he approached the Manager of the Bank of Baroda, Central Office, Bombay stating that he was unable to attend duty after the expiry of the leave, and that the illness prolonged to a long time and that he was mentally dragged. He could not be recovered fast because of the illness. The medical certificate would not be produced as he was treated by an illiterate village vaidya. He requested the Bank to join him on duty, but he was not allowed to do so.

4. The Workman thereafter, approached the General Secretary of his Union, who in turn wrote a letter to the Bank to allow him to join duty and consider his absence sympathetically. It was of no use. He personally approached the management on different occasions. It is contended that the letter of the management dated 28-10-1972 amounted to retrenchment. The Management had not followed the procedure of retrenchment contemplated under section 25F of the Industrial Disputes Act.

5. On 14-7-1982 the workman again addressed a letter to Mr. Rajgopal, General Secretary of the Union, inviting his attention to the case, but nothing could happen.

6. On 17-4-1984 he approached the Assistant Labour Commissioner, putting before him all the facts. The proceeding was stated before him, but the management did not accept the contention taken by the Workman. Ultimately, the Asstt. Commissioner of Labour sent a failure report to the Government, who in turn had sent this Industrial dispute for adjudication.

7. The management Bank denied the contentions taken by the Applicant that due to the sickness, he could not inform the Management in due time. It is contended that the reference has to be dismissed as untenable on the ground of fatal latches. It is submitted that without necessary sanction, the workman remained absent from his duty. He was categorically informed to produce the medical certificate for extension of leave. It is further pleaded that he was also warned to join the duties within the stipulated time failing which it will be treated as abandonment of service. It is denied that the removal of the workman from the service is a retrenchment. It is asserted that the continuous ill-health is specifically excluded from the definition of the term retention under section 2 of the Industrial Disputes Act. It is averred that the Father of the Workman who was in the service of the Bank through the Union of which the workman is a member informed the management referring the inability of the workman to produce the necessary medical certificate and to extend the leave. It is submitted that there is no merit in the reference and the action taken by the management is perfectly legal and proper.

8. My predecessor framed issues at Exh. 4. The issues and my findings thereon are as under :

ISSUES

FINDINGS

- Whether the termination of the services of the Workman Shri L. B. Jadhav by the Bank by its letter dated 28-10-1972 amounted to his retrenchment ?
- If so, whether the provisions contained in Sec. 25F of the Industrial

NO

Disputes Act were complied by the Bank Does not arise

- Whether the present reference made by the Govt. is tenable in law, as it has been made 12 years after the termination of the Worker's services ? Not Tenable
- Whether the workman proves the genuineness of the different letters alleged to have been sent by him to the Bank ? NO
- Whether the action of the management of Bank of Baroda, Central Office, Bombay in treating voluntary abandonment of service by Shri L. B. Jadhav vide letter NO. CENT : STF : 4 : 1233 dated 28-10-1972 is justified ? YES
- If not, to what relief is the workman entitled ? Does not arise.
- What Award ? As per final order.

REASONS

9. Mr. Jadhav, the workman has affirmed at Exh. W/6. It is not in dispute that on 2nd May, 1972 he approached the Bank's medical Officer, complaining of illness. The Medical Officer examined the workman and certified that he is suffering from Jaundice and advised him to take two weeks rest in bed. After the expiry of that period Mr. Jadhav did not join duty and continued to remain absent without any intimation. The Bank thereafter, wrote different letters dated 22-5-1972, 11-8-1972, 22-8-1972 and 2-10-1972. By these letters, it is very clear that Mr. Jadhav was intimated and again requested by the management to send an application of leave accompanied with a Medical certificate. He was also informed that he has to approach a qualified Doctor at his place & get himself checked from him and submit his certificate along with the application. It can be further seen that on the basis of these letters a second opportunity was given to Mr. Jadhav to bring to the notice of the management that his absence from duty was for a valid reason. It was also informed to him that if he does not comply with the same, within 15 days of the receipt of the letter, (the last letter of 2-10-1972) the management i.e. the Bank shall be free to take any action which is deemed necessary in the matter. It appears from the record that there is no response from the worker to all these letters.

10. Mr. Jadhav's father was working with the Bank. He was the member of the Union which ultimately represented his case. It is pertinent to note that his father nor the Union ever reported to the management that Mr. Jadhav is sick and unable to attend his duty. They never informed that Mr. Jadhav's sickness was of such a nature that he is not in a position to make any communication to the Bank requesting it to treat him as on leave. There is no explanation coming forward from Mr. Jadhav or from his Father or the Union why they had not informed the management regarding the sickness or the reason for his absence from duty.

11. It is not in dispute that after the expiry of two weeks from 2nd May, 1972 i.e. from 17th May, 1972 Mr. Jadhav remained absent from his duty without extending his leave or giving reason for it. On 28th October, 1972 the Bank informed Mr. Jadhav that as he had not responded to the earlier letters of the Bank, they had informed him that :

"Please note that if we do not hear anything from you within 10 days of the date of this letter, we shall presume that you are not interested in the Bank services & that you have voluntarily abandoned your job with Bank without notice and treat you as such".

12. After receipt of this notice also Mr. Jadhav had not contacted the Bank and kept idle. He contacted the Bank only after a lapse of 3 years. At that time he requested that

as he was ill during the intervening period, he could not inform the Bank about his inability, to attend Office and requested them to join him on duty. At that time also he did not furnish any medical certificate as evidence that he was critically ill. Naturally the Bank did not consider his request.

13. It can be further seen that thereafter the matter was set to rest till 1984, i.e. a lapse of about 9 years. Then he approached the Asstt. Labour Commissioner in April 1984 requesting him to look into the matter for re-instatement in the Bank services. Then the conciliation proceeding started and the Labour Commissioner sent his failure report to the Government which resulted in the present Industrial Dispute and the references.

14. From the above said discussions it is very clear that there is delay on the part of the Workman firstly for prejudicing the Bank and thereafter raising a dispute. No doubt there is no provision in the Industrial Disputes Act in respect of the period of limitation for raising the dispute. But the fact that the workman had taken long 12 years to raise the dispute itself is sufficient ground for rejecting the same on the ground of laches.

15. In *Shalimar works, Ltd. v/s. Its Workmen 1955-II L.L.J.* page 26 Their Lordships have observed that the reference which was made after four years after the re-employment of most of the workmen for re-instating some few must be held to have been made beyond a reasonable time and the Industrial tribunal ought not to grant the relief of reinstatement on such a reference.

16. In the case of *Bombay Union of Journalists and others v/s. State of Bombay* and another Supreme Court 1964 I LLJ page 351, their Lordships observed that if the claim made is patently frivolous, or is clearly belated, the appropriate Government may refuse to make a reference. Relying on this authority it is tried to submit that infact the Government should not have referred the matter, but as the Government has made the reference the tribunal should reject the same.

17. In another case between *R. Ganeshan v/s. Union of India & Ors.* 1993 I current Labour report page 697 it is observed that it is true that the act does not lay down a period of limitation. This however does not mean that a dispute can be raised at any time after an inordinate delay and the Government to make a reference. If there is an inordinate delay that can be a legitimate ground for holding that there does not exist in present Industrial dispute. In that case the petitioner raised an Industrial dispute on 12-11-87 in respect of his dismissal by Air India 8-10-1980 for misconduct held to have committed on 5-1-1980. Approval to the said act was granted on 24-5-1984. The facts of that case are applicable to the present set of facts. There is an inordinate delay of the workman in the present case to raise an industrial dispute. Infact this Industrial dispute does not exist at all.

18. Mr. Jadhav in categorical term admits the position that he received letters of the Bank dated 22-5-1972, 11-8-72, 22-8-1972, 2-10-1972 & 18-10-1972. He admits that he had not replied those letters or not complied. There is no dispute that after the expiry of 15 days of his leave period, he had not signed any application for extension of leave. Thus it is clear that he remained absent from duty without any reason. Thereafter the Bank vide its letter dated 20-10-1972 informed him that it will be treated that the Workman had abandoned his services and has by his own abandoned the job of the Bank. His action clearly suggests that he has totally given up the duty. His intentions are clear by his not complying the letters of the Bank. The certificates which are to be given by the President of the Panchayat samiti Srivardhan & the Police Patil of his village cannot be said to be proved. If it is said that it is proved then they cannot be said to be supportive piece of evidence of the workman. The bear statement in this letter that he was sick from 1972 to 1975 is not sufficient. From these letters it cannot be presumed that there was sufficient reasons for Mr. Jadhav to remain absent from duty and it cannot be an abandonment. The fact that the workman did not comply not reply

the letters of the Bank is sufficient evidence for coming to the conclusion that he voluntarily abandoned the employment of the Bank.

19. It is tried to suggest that Mr. Jadhav treated by the village vaidya and therefore he could not produce the medical certificate. I am not inclined to accept this for the simple reason that he was the Peon of the Bank at Bombay. It is unlikely that when he was not keeping well, he will go on leave at his village and get treatment from a village vaidya instead of coming to Bombay or contacting a Medical Practitioner duly authorised to do so. His Father nor the Manager had informed the Bank regarding his sickness. That itself goes to show that the workman voluntarily abandoned the services.

20. In *B. D. Patil v/s. Managing Director Panchgonda Sahakari Sakhar Karkhana Ltd.* and another 1988 L.I.C. 1282 wherein it was held that removal of the name of the Employee from the Muster Roll, Employee absenting himself from duty for over 3 years without any reason and thereafter his name is deleted from the muster roll cannot be held to attract section 25F. Here in this case also the name of the workman was rightly removed from the muster roll. There is no evidence to show that he was retrenched and he is entitled to benefits of section 25F of the Industrial Disputes Act.

21. It was rightly argued on behalf of the management that even if it is said that while holding a departmental enquiry the workman is removed from the services that they can lead evidence before the Tribunal to justify their actions. It is further said that the evidences on the record clearly justifies the action of the management for removal of the workman from the services. For the reasons given above I endorse that view.

22. Mr. Jadhav had produced a letter at Exh. B 25-7-1972. It is illegible, it cannot be read at all. The management asserted that they never received such a letter. Thereafter the only letter which is at Exh. F dated 24-5-1975 written by the Manager of the Bank is being read by the Manager i.e. after a lapse of 3 years. The alleged letter of 25th July, 1972 does not help the workman at all. The certificate of the President of the Panchayat samiti Srivardhan and that of the Police Patil are also of no help and nor it can be said to be proved. For all these reasons I record my findings accordingly and come to the conclusion that the action of the management is perfectly legal and proper. In the result I make the following order.

ORDER

1. The action of the management of the Bank of Baroda, Central Office, Bombay in treating voluntary abandonment of the services of Shri L. N. Jadhav vide letter No. CENT : STE : 4 : 1233 dated 28th October 1972 is justified.
2. No orders as to cost.

S. B. PANSE, Presiding Officer

नई दिल्ली, 5 सितम्बर, 1994

का.प्रा. 2573.—जबकि, मद्रास पत्तन न्यास के प्रबंधन तथा उनके कर्मचारों जिनका प्रतिनिधित्व मद्रास पोर्ट ट्रस्ट एम्प्लॉईज यूनियन, 9, सैंकिण्ड लाइन बीच, मद्रास द्वारा किया जा रहा है, के मध्य एक औद्योगिक विवाद विद्यमान है;

और जबकि, उपरोक्त प्रबंधन तथा उनके कर्मकार जिनका प्रतिनिधित्व मद्रास पोर्ट ट्रस्ट एम्प्लॉईज यूनियन द्वारा किया जा रहा है, औद्योगिक विवाद अधिनियम 1947

(1947 का 14) की धारा 10-क की उप-धारा (1) के अन्तर्गत एक लिखित करार द्वारा उक्त विवाद को न्याय निर्णयन के लिए भेजने पर सहमत हैं, उक्त मध्यस्थता करार की एक प्रति केन्द्रीय सरकार को भेज दी गयी है;

अतः अब, उपर्युक्त अधिनियम की धारा 10-क की उप-धारा (3) के अन्वय में केन्द्रीय सरकार उक्त करार को प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अन्तर्गत)

के मध्य

पक्षकारों के नाम

नियोजक के प्रतिनिधि	कर्मकारों के प्रतिनिधि
अध्यक्ष, मद्रास पत्तन न्याय, राजाजी सलाई, मद्रास-600001	अध्यक्ष मद्रास पत्तन न्याय कर्मचारी संघ, 9, सैफिण्ड लाईन बीच, मद्रास-600001

पक्षकार निम्नलिखित विवाद को माध्यस्थता के लिये भारत सरकार के श्रम मंत्रालय के सेवा निवृत्त अपर सचिव श्री टी. एस. संकरन, जो नं. 211, देशबन्धु अपार्टमेंट्स, कालकाजी, नई दिल्ली-110019 में रहते हैं के पास भेजने को सहमत है।

विवाद के विशिष्ट मामले :

क्या कर्मकारों की, निम्नलिखित दुकानों/अनुभागों में नियोजित कर्मकारों हेतु प्रोत्साहन योजना या योजनाएं आरंभ करने की मांग न्याय संगत है और यदि हां तो किसी भी एक पक्ष द्वारा दिये गये सुझाव के अनुसार योजना या योजनाओं का अनुमोदन अथवा संशोधन करें या राष्ट्रीय उत्पादकता परिषद् जैसी स्वतंत्र एजेंसी या विवाचक स्वयं ऐसी योजना या योजनाएं तैयार करें, जिनमें परिणामी योजनाओं द्वारा प्रोत्साहन/भुगतान के अंतर्गत अंतरा-पत्तन उपाजन की सापेक्षता सहित उत्पादकता बढ़ाने के विशिष्ट उद्देश्य हेतु वर्तमान परिस्थितियों को ध्यान में रखा जाये, और ऐसा करने के पश्चात् वह तारीख विनिर्दिष्ट करें जिससे प्रत्येक ऐसी योजना प्रभावी होगी (भविष्य प्रभावी या पूर्व प्रभावी) परन्तु 1-4-1994 से पूर्व प्रभावी न हो, या जहां ऐसी योजना को पूर्व प्रभावी तारीख से प्रभावी करना न्याय संगत है परन्तु पूर्व प्रभावी नियम में प्रभावी करना संभव नहीं है तो कर्मकारों को अनुमेष राहत विनिर्दिष्ट करें।

क्या इलेक्ट्रिकल और मैकेनिकल विभाग में कार्यरत कर्मकारों, के उन वर्गों जो रख-रखाव और संबंधित क्रियाकलाप में नियोजित हैं ऐसे विभिन्न कार्य कर रहे हैं जिनको किये

गये कार्य का आकलन करना कठिन है, के लिए प्रोत्साहन योजना या योजनाएं चलाना युक्तिसंगत और व्यवहार्य है।

यदि निम्नांकित कर्मकारों में से किसी के लिए प्रोत्साहन योजना या योजनाएं आरंभ करने का कोई औचित्य है तो, विवाचक, जहां कहीं व्यवहार्य हो, निश्चित समय सीमा के भीतर कर्मकारों के एक समूह द्वारा प्राप्त किये जाने वाले मानक उत्पाद आधार या मानकी आधार को ध्यान में रखते हुए, एक आधारभूत मानक तय करें और प्रोत्साहन योजना की श्रेणी निश्चित करें और आधारभूत मानक से अधिक प्राप्त किये गये उत्पाद हेतु नियत की जाने वाली प्रोत्साहन की दर तय कर सकना है:—

(1) (क) इलेक्ट्रिकल और मैकेनिकल विभाग में कार्गो हैंडलिंग उपस्कर के रख-रखाव में कार्यरत शाॅप्स में नियोजित कर्मकार; अर्थात्

- (1) डीजल पोर्क-लिफ्ट ट्रक्स
- (2) मोबाइल क्रैन्स
- (3) इलेक्ट्रिक क्रैन्स
- (4) इलेक्ट्रिक पोर्क-लिफ्ट ट्रक्स और
- (5) हैवी उपस्कर।

(ख) फ्लोटिंग क्राफ्ट की मरम्मत और रख-रखाव में नियोजित कर्मकार जिनमें ये सम्मिलित हैं:—

- (1) फ्लोटिंग क्राफ्ट शाॅप्स
- (2) फ्लोटिंग क्राफ्ट शाॅप्स में जुड़ा इलेक्ट्रिक अनुभाग (जे क्षत्र)
- (2) रिट्रेटिंग शाॅप्स
- (4) वेल्लिंग शाॅप्स
- (5) प्लानिंग और डिजाइन सैल (मैरीन वर्कशाॅप्स)
- (4) फ्लोटिंग क्राफ्ट सर्विस स्टेशन
- (7) इलेक्ट्रिकल और मैकेनिकल विभाग के नियंत्रणाधीन फ्लोटिंग क्रैन का चालक दल

(ग) कार्गो हैंडलिंग उपस्कर और रख-रखाव की दुकानों से संबद्ध निम्नलिखित दुकानों/अनुभागों में इलेक्ट्रिकल और मैकेनिकल विभाग में नियोजित कर्मकार :

- (1) मशीन की दुकान
- (2) लोहारगिरी की दुकान
- (3) आंतरिक दहन इंजिन की दुकान
- (4) ठलाई की दुकान
- (5) चैन परीक्षण दुकान
- (6) लपेटन की दुकान
- (7) विद्युत आपूर्ति, और रख-रखाव की दुकानों से संबद्ध अनेक इलेक्ट्रिकल दुकानों और इलेक्ट्रॉनिक अनुभाग।

क्या हड़ताल, बंद आदि के कारण "छूट दिवस" के रूप में मानी गयी साप्ताहिक छुट्टी से पूर्व छः दिवसों के दौरान

किसी भी दिन के लिए तृतीय श्रेणी और चतुर्थ श्रेणी के कर्म-
कारों को देय साप्ताहिक अवकाश दिवस के लिए मजदूरी का
भुगतान न किये जाने से संबंधित मांग के लिए न्यूनतम मजदूरी
अधिनियम, 1948 के उपबंधों और उसके अंतर्गत बनाये गये
नियमों को ध्यान में रखते हुए विधिक स्पष्टीकरण आवश्यक
है।

3. क्या इलेक्ट्रिकल और मैकेनिकल विभाग में रात-दिन
पारियों पर नियोजित कर्मकारों की उन प्रचालनात्मक और
समतुल्य श्रेणियों, इसमें कंटेनर टर्मिनल और समुद्रीय विभाग
के कर्मकार भी शामिल हैं, को 30 मिनट का "टेक-ओवर"
और "हैंड ओवर" समयोपरि भत्ते का भुगतान किये जाने
संबंधी मांग का कोई औचित्य है।

ध्यान दें :—“प्रोत्साहन और हैंड-ओवर, टेक ओवर
समयोपरि कार्य के ऊपर सूचीबद्ध मामलों के संदर्भ
में कोई भी पक्षकार सभी प्रयोगकर्ताओं सहित
सभी संबद्ध पक्षकारों के लिए इष्टतम दक्षता और
कम लागत सुनिश्चित करने के उद्देश्य से अपने
प्रस्तावों/दावों में संशोधन करने और त्वरित
प्रोत्साहन योजनाओं सहित किन्हीं भी दावों का
सुझाव देने के लिए स्वतंत्र है।

4. क्या चिकित्सा विभाग के कुछ नवनिर्गित अतिरिक्त
आपरेशन थिएटरों में तैनात एक अतिरिक्त नर्स को प्रति माह
अतिरिक्त विशेष वेतन प्रदान किये जाने की मांग न्यायोचित
है जैसी कि पूर्व निर्मित आपरेशन थिएटरों में तैनात ऐसे
कर्मचारियों को मंजूरी प्रदान की गयी है, और यदि हां तो
क्या इसे भूतलक्षी प्रभाव से प्रदान किया जाना चाहिए।

5. क्या पोर्ट ट्रस्ट हास्पिटल में हुई मृत्यु के संबंध में
शवों को उठाने के लिए नियोजित अस्पताल के दो लास्करों
को अनुपूरित करने के लिए मृत्यु के प्रत्येक मामले में
अदा किये गये विशेष भत्ते की दर में वृद्धि किये जाने की
मांग का कोई औचित्य है, और यदि हां तो दर में कितनी
बढ़ोत्तरी की जानी चाहिए, और बड़ी हुई दर को किस
तारीख से प्रदान किया जाना चाहिए।

6. क्या “टांग लिफ्ट ट्रक आपरेटर्स” के रूप में टाईप
लिफ्ट ट्रकों के प्रचालन कार्य में ही लगे नियोजित किये
जाने योग्य बाहन चालकों को पुनर्पदनामित करने और 1205-
2030 से उच्चतर वेतनमान प्रदान किये जाने संबंधी मांग
न्यायोचित है और क्या इसे भूतलक्षी प्रभाव से प्रदान किया
जाना चाहिए।

7. क्या मिस्त्रियों और मजदूरों (समुद्र तट पर कार्यरत
श्रमिकों) को प्रदत्त प्रतिदिन 4.50 रु. के समीकरण
भत्ता की दर में 1.1.1984 और तदनन्तर वेतन संशोधनों
की तारीख से बढ़ोत्तरी करने की मांग का कोई औचित्य है।

8(क) क्या पदोन्नति संबंधी अतिरिक्त पदों के सृजन
संबंधी मांग का कोई औचित्य है जैसाकि मदास पत्तन न्यास
के अध्यक्ष द्वारा मंत्रालय को लिखे गये अपने पत्र सख्या आई
2134 GI/94—22

आर 3 / 25080 / 84 / एम, दिनांक 15-10-1986 में
यथोचित रूप में प्राप्त परिवर्तित परिस्थितियों के संदर्भ में
कर्मचारियों को निम्नलिखित श्रेणियों के संबंध में प्रस्ताव किया
गया है, जिसके व्योरे नीचे दिये जा रहे हैं :—

क्रम सं.	फीडर पदों की अतिरिक्त पदों का सृजन	सृजित
	विद्यमान श्रेणी किये जाने के लिए पदोन्नति	किये
	संबंधी पदों की श्रेणी	जाने
		वाले
		अतिरिक्त
		पदों
		की
		संख्या

1	2	3	4
1. सहायक अधीक्षक	कार्यालय अधीक्षक (सभी विभाग)		91
2. कनिष्ठ सहायक	वरिष्ठ सहायक (सभी विभाग)		308
3. वरिष्ठ कार्यलिपिक	वरिष्ठ सहायक (कार्य) (इंजी. विभाग)		13
4. सहायक तकनीशियन (मेके./इले.)	तकनीशियन ग्रेड-III (इले. एव. मेके. विभाग)		220
5. अत्यधिक कुशल ग्रेड-II	अत्यधिक कुशल ग्रेड-I (इले. एव. मेके. विभाग)		62
6. वरिष्ठ स्टोरमैन	जमादार (भंडार विभाग)		12
7. भंडार पर्यवेक्षक	वरिष्ठ भंडार पर्यवेक्षक (चिकित्सा विभाग)		5
8. नर्सिंग मिस्टर	मिस्टर इन-चार्ज (चिकित्सा)		2
9. हास्पिटल सार्जेंट	प्रथमोपचार अधीक्षक (चिकित्सा)		2
10. सहायक खजांची	खजांची लेखा (विभाग)		3
11. खलासी एच.एस.	खलासी सायरंग (इंजी. विभाग)		1
12. निम्नल वोगुन	सिग्नल अधीक्षक (समुद्र तट)		2
13. वरिष्ठ सिग्नलमैन	सिग्नल वोगुन (समुद्र तट)		5
14. विभागाध्यक्ष (दूरमाष)	प्रधानलिपिक (दूरमाष) (सचिव)		2
15. वरिष्ठ सहायक (कार्य)	सहायक अधीक्षक (कार्य) (इंजी. विभाग)		7
16. आशुलिपिक ग्रेड-I	आशुलिपिक (चयन ग्रेड)		3
17. खजांची	वरिष्ठ खजांची (लेखा)		1
18. वरिष्ठ भंडार पर्यवेक्षक	मुख्य भंडार पर्यवेक्षक (चिकित्सा)		1
19. मिस्त्री	प्रधाना मिस्त्री (चिकित्सा)		1
20. अस्पताल लास्कर ग्रेड-I	वरिष्ठ अस्पताल लास्कर (चिकित्सा)		12

1	2	3	4
21. रिकार्ड ड्राफ्ट्समैन	वरिष्ठ रिकार्ड ड्राफ्ट्समैन (इंजीनियरिंग)		1
22. तास्कर भाषांतर (एच. एम.)	नगर (एच. एम.) (इंजी. विभाग)		1
23. चौकीदार	वरिष्ठ चौकीदार (इंजी. विभाग)		6

			761

8. (ख) क्या उन सहायक तकनीनियनों की श्रेणी जिन्होंने लगभग 3 वर्ष की निर्धारित अवधि के प्रशिक्षण और किसी सरकारी प्राधिकरण द्वारा आयोजित परीक्षा के पश्चात् कुशल व्यवसायों में जारी एन ए सी प्रमाणपत्र धारित कर्मचारों के मामले में, और जिन्हें आरम्भिक भर्ती की तिथि से कुशल और अकुशल सभी प्रकार के कार्यों को निपटाने के लिए तैनात किया जाता है को पांच वर्षों की संतोषजनक सेवा पूरी करने की तिथि से तकनीशियन ग्रेड [II] के पद पर पदोन्नति का लाभ दिया जाना स्वीकार्य होता चाहिए और क्या अन्य श्रेणियों के बारे में यूनियन के साथ हुयी बातचीत पर व्यक्त सहमति के आधार पर मद्रास पत्तन न्यास के अध्यक्ष द्वारा मंत्रालय को प्रस्तुत प्रस्तावों की तारीख के बाद अगले माह की पहली तारीख से पदोन्नति दी जानी चाहिए।

विवादों से संबंधित पक्षकारों के विवरण :

अध्यक्ष, मद्रास पत्तन न्यास, राजाजी सलाई, मद्रास-600001
अध्यक्ष, मद्रास पत्तन न्यास कर्मचारी संघ नं. 9, सेकंड लाइन बीच, मद्रास—600001

उपक्रम में नियोजित प्रभावित कर्मचारों की कुल संख्या : 10098
विवाद के कारण प्रभावित अथवा प्रभावित होने

वाले संभावित कर्मचारों की अनुमानित संख्या : 4122
हमने विवाचक को उपर कथित अनेक विवादों तथा मामलों पर अपना पंचाट देते समय संबंधित निर्देश जारी करने और यदि आवश्यक हो तो दोनों पक्षकारों की सहमति से अमेसर नियुक्त करने के लिए प्राधिकृत किया है।

विवाचक अपना पंचाट, केन्द्रीय सरकार द्वारा सरकारी राजपत्र में इस करार के प्रकाशन की तारीख से तीन माह की अवधि के भीतर अथवा निर्धारित अवधि के भीतर पंचाट न दिये जाने की अवस्था में हम पक्षकारों के बीच लिखित आपसी करार द्वारा बढ़ायी गयी समयावधि के भीतर देगा।

हम इस बात से सहमत हैं कि विवाचक का निर्णय हम पर बाध्यकारी होगा।

हम इस बात से भी सहमत हैं कि उपर्युक्त विवाचन से संबंधित व्यय पक्षकारों अर्थात् मद्रास पत्तन न्यास और मद्रास पत्तन न्यास कर्मचारी संघ द्वारा बराबर-बराबर आधार पर वहन किया जायेगा।

स्थान मद्रास, दिनांक 12 अगस्त, 1994

नियोक्ता का प्रतिनिधित्व करने वाले कर्मचारी का प्रतिनिधित्व करने वाले

ह./—	ह./—
अध्यक्ष	अध्यक्ष
मद्रास पत्तन न्यास	मद्रास पत्तन न्यास
	कर्मचारी संघ

विवाचक की सहमति

दिनांक 7 जुलाई, 1994

अध्यक्ष	अध्यक्ष,
मद्रास पत्तन न्यास	मद्रास पत्तन न्यास
प्रशासनिक कार्यालय	कर्मचारी संघ,
(9वां तल)	9, मेकन्ड लाइन बीच
राजाजी सलाई, मद्रास-600001	मद्रास—600001
महोदय,	

मद्रास पत्तन न्यास तथा उसके कर्मचारों जिसका प्रतिनिधित्व मद्रास पत्तन न्यास कर्मचारी संघ कर रहा है के मध्य एक औद्योगिक विवाद के विवाचन के बारे में,

मैं, एतद्वारा उपर्युक्त विवाद में विवाचक होने के लिए अपनी सहमति देता हूँ। मैं समझता हूँ कि इस विवाद के संबंध में श्रम मंत्रालय द्वारा जारी की जाने वाली अधिसूचना के तीन माह के भीतर कार्य पूरा करना तथा पंचाट देना पक्षकारों के सहयोग से सम्भव हो जायेगा।

श्रम मंत्रालय से औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अन्तर्गत आवश्यक अधिसूचना जारी करने का भी अनुरोध कर दिया जाए।

चूंकि विवाद प्रोत्साहन योजनाओं को आरंभ करने के बारे में है इसलिए विशेषकर विवाचन में मुझे सहायता देने के लिए एक अमेसर नियुक्त करने की आवश्यकता हो सकती है।

मुझे मान्य हुआ है कि व्यय को पक्षकारों द्वारा बराबर-बराबर वहन किया जायेगा। मैं यह समझता हूँ कि कुल व्यय का 50 प्रतिशत पत्तन न्यास और शेष 50% संघ वहन करेगा।

विवाचन मंत्राली मेरी फीम 2000 रु० (दो हजार रुपये) प्रतिदिन तथा इसका 10% लिपिकीय कार्य के लिए देय होगी। इसके अलावा मेरे तथा मेरे सहयोगी के लिए यात्रा, भोजन, आवास और स्थानीय याता वाहन की व्यवस्था की जानी होगी। मामले की सुनवाई मद्रास में होगी।

भवदीय,

(टी.एन. शंकरन)

211, देशबंधु अपार्टमेंट

कालका जी, नई दिल्ली-110019

[गं.एन.-33013/2/94-आईआर (विवाद)]

बी.एम. डेविड, हेस्क अधिकारी

New Delhi, the 5th September, 1994

S.O. 2573.—Whereas an industrial dispute exists between the management of Madras Port Trust and their workmen represented by Madras Port Trust Employees Union, 9, Second Line Beach, Madras;

And whereas, the said management and their workmen represented by Madras Port Trust Employees Union have by written agreement under sub-section (i) of Section 10-A of the Industrial Disputes Act 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of Section 10-A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT

(under Section 10-A of the Industrial Dispute Act, 1947)
BETWEEN

NAME OF THE PARTIES

Representing employer	Representing workmen
The Chairman, Madras Port Trust, Rajaji Salai, Madras-600 001.	The President, Madras Port Trust Employees Union, 9, Second Line Beach, Madras-600 001.

It is hereby agreed between the parties to refer the following disputes to the arbitration of Shri T.S. Sankaran, Retired Additional Secretary to the Government of India in the Ministry of Labour, residing at No. 211, Deshbandhu Apartments, Kalkaji, New Delhi-110 019.

SPECIFIC MATTERS IN DISPUTE

Whether the demand of the workman for introduction of incentive scheme or schemes for workers employed in the following shops/Sections is justified and if so approve or modify, the scheme or schemes suggested by either party, or an independent agency such as the National Productivity Council or the Arbitration himself frame such scheme or schemes taking into account currently obtaining circumstances with the express objective of increasing the productivity including intra-port, relativities of earnings under incentive/payment by results schemes, and consequent on doing so, specify the date from which each of such schemes should be given effect to (prospective or retrospective) but not earlier than 1-4-1994, or specify the relief to be allowed to the workers if it is not feasible to give retrospective effect to any of such scheme where giving retrospective effect is justified.

Whether it is rational and feasible to introduce an incentive scheme or schemes for categories of workers in the Electrical and Mechanical Department who are engaged in maintenance and related activities performing several types of work where the measurement of work performed is difficult.

If there is any justification for the introduction of the incentive scheme or schemes for any of the workmen mentioned below, the Arbitrator may fix the base standard wherever feasible, taking into account the normative basis or standard output which a group of workers, is capable of achieving in a given period of time, and also to determine the type of incentive scheme, and the rate of incentive payable

for the performance achieved beyond the base standard which may be fixed:—

- (I) (A) The workers employed in the shops engaged in the maintenance of cargo handling equipment in the Electrical and Mechanical Department Viz.
 - (i) Diesel Fork-Lift Trucks
 - (ii) Mobile Cranes
 - (iii) Electric Cranes
 - (iv) Electric Fork Lift Trucks and
 - (v) Heavy Equipments.
- (B) The workers employed in the repair and maintenance of Floating Craft, which include:
 - (i) Floating Craft Shop
 - (ii) Electrical section attached to Floating Craft Shop (J Zone)
 - (iii) Rivetting Shop
 - (iv) Welding Shop
 - (v) Planning and Design Cell (Marine Workshop)
 - (vi) Floating Craft service station
 - (vii) The crew of Floating Crane under the Control of the Electrical and Mechanical Department.
- (C) The workers employed in the Electrical and Mechanical Department in the following shops/sections which are allied to the cargo handling equipment and maintenance shops:
 - (i) Machine shop
 - (ii) Blacksmithy shop
 - (iii) Internal Combustion Engine shop
 - (iv) Foundry shop
 - (v) Chain Testing shop
 - (vi) Winding shop
 - (vii) Power supply, and the several Electrical shops and Electronic sections linked to the maintenance shops.

2. Whether the demand relating to non-grant of wages for weekly off day, to the Class III and class IV workmen, due to any of the days during the six days preceding the weekly off being treated as "dies non" on account of strike, bandh etc. requires legal interpretation taking into account the provisions in the Minimum Wages Act, 1948 and the Rules framed thereunder.

3. Whether there is any justification in the demand for payment of "take-over" and "hand-over" overtime allowance of 30 minutes to those operational and equivalent categories of workmen employed on round-the-clock shifts, in the Electrical and Mechanical Department, including those employed in the Container Terminal and Marine Department.

N.B. "In respect of the above listed issues of incentive and hand-over take-over overtime either party is free to amend its own proposals/claims and suggest any claims, including accelerated incentive schemes, with the object of ensuring optimum efficiency and be cost effective, to all concerned including the users.

Parties may engage their own assessors at their cost to substantiate what they propose will be beneficial".

4. Whether there is any justification in the demand for grant of special pay per month to one Nurse additionally posted to some of the newly constructed additional operation

theatres of the Medical Department as allowed to such staff posted in the Operation Theatre constructed earlier, and if so, whether it should be given with retrospective effect.

5. Whether there is any justification in the demand for increasing the rate of Special Allowance paid per case of death occurring in the Port Trust Hospital, to the complement of two Hospital Lascars detailed for handling dead bodies, and if so, what should be the increase in the rate, and the date from which the enhanced rate should be given.

6. Whether the demand for re-designating the Deployable Vehicle Drivers exclusively engaged in the operation of Top Lift Trucks as "Top Lift Trucks Operators", and for grant of a higher scale of pay than Rs. 1205-2030, is justified and whether it should be given with retrospective effect.

7. Whether there is any justification in the demand for enhancing the rate of equation Allowance of Rs. 4.50 per day paid to the Maistries and Mazdoors (Shore Labour) with effect from 1-1-84 and subsequent pay revisions.

8. (A) Whether there is any justification in the demand for creation of additional promotional posts, as proposed by the Chairman of the Madras Port Trust, in his letter to the Ministry No. IR3/25080/84/S, dated 15-10-1986 in respect of the following categories of employees as detailed below, in the light of altered circumstances as currently obtaining:

Sl. No.	Existing category of Feeder posts	Category of promotional posts in which additional posts to be created	No. of additional post to be created
1	2	3	4
1.	Asst. Superintendent	Office Superintendent (All departments)	91
2.	Junior Assistant	Sr. Assistant (All departments)	308
3.	Sr. Works Clerk	Sr. Assistant (Works) (Engg. Department)	13
4.	Asst. Technician (Mech/Elec)	Technician Gr. III (Elec & Mech. Dept.)	220
5.	Highly Skilled Gr. II	Highly Skilled Gr. I (Elec & Mech. Dept.)	62
6.	Senior Storeman	Jamedar (Stores Dept.)	12
7.	Stores Supervisor	Sr. Stores Supervisor (Medical Dept.)	5
8.	Nursing Sister	Sister-in-charge (Medical)	2
9.	Hospital Sergeant	First Aid Suptd. (Medical)	2
10.	Asst. Cashier	Cashier (Accounts Dept.)	3
11.	Khalasi H.S.	Khalasi Syrang (Engg. Dept.)	1
12.	Signal Boatswain	Signal Suptd. (Marine)	2
13.	Sr. Signalmān	Signal Boatswain (Marine)	5
14.	Section Head (Tel.)	Head Clerk (Tel) (Secy's)	2
15.	Sr. Assistant (Works)	Asst. Suptd. (Works) (Engg. Dept.)	7

1	2	3	4
16.	Steno Gr. I	Steno (Selection Gr.) (Secy's)	3
17.	Cashier	Sr. Cashier (Accounts)	1
18.	Sr. Stores Supervisor	Chief Stores Supervisor (Medical)	1
19.	Maistry	Head Maistry (Medical)	1
20.	Hospital Lascar Gr. I	Sr. Hospital Lascar (Medical)	12
21.	Record Draughtsman	Sr. Record Draughtsman (Engineering)	1
22.	Lascar Syrang (HS)	Gunner (HS) (Engg. Dept.)	1
23.	Watchman	Sr. Watchman (Engg. Dept.)	6
			761

8. (B) Whether in the case of the category of Assistant Technician, the workers possessing NAC certificate in Skilled Trades, issued after a stipulated period of training of about 3 years and a test conducted by a Governmental Authority, and who from the date of initial recruitment are deployed for performance of all types of tasks, skilled and non-skilled should be allowed the benefit of promotion to Technician Grade III from the date they complete 5 years of satisfactory services and whether the promotion in respect of other categories, should be given effect from the first of the month following the date the Chairman of Madras Port Trust submitted the proposals, agreed to in discussions with the Union, to the Ministry.

Details of the parties to the disputes:

The Chairman, Madras Port Trust, Rajaji Salai, Madras-600 001.

The President, Madras Port Trust Employees' Union, No. 9, Second Line Beach, Madras-600 001.

Total number of workmen employed in the undertaking affected: 10098

Estimated number of workmen affected or likely to be affected by the dispute 4122

The Arbitrator is authorised by us to issue related directives, when giving his award on the several disputes and matters listed above, and to appoint if necessary an Assessor(s) with the consent of both the parties.

The Arbitrator shall make his award within a period of three months from the date of publication of this agreement in the Official Gazette by the Central Government, or within such further time is extended by mutual agreement between us in writing in case the award is not made within the period.

We agree that the decision of the Arbitrator will be binding on us.

We further agree that the expenditure in connection with the above arbitration will be shared equally by the parties, viz. The Madras Port Trust and The Madras Port Trust Employees' Union.

Dated at Madras on the 12th day of August, 1994.

Representing the Employer	Representing the workmen
Sd/-	Sd/-
Chairman	President
Madras Port Trust	Madras Port Trust Employees Union.

CONSENT OF THE ARBITRATOR

Dated 7th July, 1994

The Chairman,
Madras Port Trust,
Administrative Officer
(9th Floor)
Rajaji Salai,
Madra 600 001.

The President,
Madras Port Trust Em-
ployees Union,
9, Second Line Beach,
Madras 600 001.

Dear Sirs,

Regarding arbitration of an Industrial Dispute between the Madras Port Trust and its workers represented by the Madras Port Trust Employee's Union.

I hereby given my consent to be Arbitrator in the above dispute. Given the cooperation of the parties to the dispute, I think it should be possible to complete the work and give my award within three months of the notification being issued by the Ministry of Labour.

The Ministry of Labour may also be requested to issue the necessary notification under Section 10-A of the Industrial Disputes Act, 1947.

It may become necessary to have an assessor to assist me in the arbitration particularly as the dispute is about introduction of incentive schemes.

I note that the expenditure will be shared equally by the parties. I presume that the Port Trust will meet 50% of the expenditure and the Unions the balance of 50%.

My fees for the arbitration will be at the rate of Rs. 2,000 - (Rupees two thousand only) per day plus 10% thereof towards clerkage, in addition to travel cost, accommodation and local conveyance for myself and my companion. The hearings will be at Madras.

Yours faithfully,

(T.S. Sankaran)
211, Deshbandhu Apartments,
Kalkaji,
New Delhi-110 019.
[No.L-33013/2/94-IR(Misc.)]
B. M. DAVID, Desk Officer

नई दिल्ली, 5 सितम्बर, 1994

का.प्र. 2574—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोलिंग कोल लिमिटेड की लोयाबाद कोलियरी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-94 को प्राप्त हुआ था।

[संख्या एन-20012/453/82-डी-3 (ए)/आई आर (कोल-1)]
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 5th September, 1994

S.O. 2574.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1) Dhanbad as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Loyabad Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 1-9-94.

[No. L-20012/453/82-DIII(A)|IR(Coal-I)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) AT DHANBAD

PRESENT:

Shri P. K. Sinha, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 117 OF 1989

PARTIES:

Employers in relation to the management of Loyabad Colliery of M/s. B.C.C.L.

AND

Their workmen.

APPEARANCES:

On behalf of the workmen : Shri D. K. Verma, Advocate.

On behalf of the employers : Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 2nd August, 1994

AWARD

The Govt. of India, in the Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(453)/82-D.III(A)|IR(Coal I) dated, the 8th September, 1989.

THE SCHEDULE

"Whether the action of the management of Loyabad Colliery of M/s. B.C.C.L. in dismissing Shri Dashrath Dusadh, Mechanical Fitter Helper, vide their letter No. 23/21 dated 12-6-82 is justified? If not, to what relief is the concerned workman entitled to?"

2. The allegation of the management, as discernible from its written statement, and the document of the domestic enquiry, is that the concerned workman Dashrath Dusadh, on 1-1-81 about 8.00 A.M., had gone to the Official residence of Shri A. K. Tooley, the then Area Manager (T)/Agent along with others who also were armed and they assaulted Shri A. K. Tooley and his wife. As the allegation goes, the concerned workman was armed with a pipe gun in his hand which he attempted to use against the Area Manager but could not do so as Mrs. Tooley caught hold of the gun, Mrs. Tooley shouted for help and as many persons came there, the assailants fled away. Further allegation is that the workman thereafter absconded and remained absent from his duty.

3. Further case of the management is that the concerned workman was on duty from 21 midnight of 30-11-81 upto 8.00 A.M. of the next day. But at the end of his shift he had assaulted his superior officer at the instigation of the interested persons, thereby committing misconduct for which he was issued a chargesheet dt. 28-12-81 and on completion of a proper enquiry after his explanation was not found to be satisfactory, the concerned workman was dismissed from service through letter dated 12-6-1982 as the enquiry officer had found the charges to have been substantiated.

4. The following is the main body of the chargesheet:—

"It has been reliably learnt that you were one among the assailants and actively took part in the assault of Sri A. K. Tooley, Area Manager Technical and his wife on 1st December, 1981 at about 8 A.M. near his bungalow, and absconding since then without information/permission.

The above act of yours amounts to gross misconduct in terms of clause 17(i) and 17(ii) respectively of the Model Standing orders applicable for the establishment."

5. The concerned workman in his explanation denied the allegation stating therein that at the time of alleged occurrence he was on duty along the Fitter Ibrahim Mistry, Sabdul Mistry and Helper Jagan Mahato. Regarding his absence he explained that he was in custody in relation to Jogta P.S.

Case No. 146(12)/81, ostensibly relating to the alleged occurrence hence he could not inform about his absence. In his explanation he submitted that he was filling a certificate about his release on bail, requesting that he be allowed to join duty.

6. According to the W.S. filed by the sponsoring union the workman was employed as permanent Mechanical Helper at Layabad Colliery. This W.S., after mentioning the allegation against him, states that the workman was arrested by the Police and he was detained in jail. While in custody the workman filed application before the Chief Judicial Magistrate at Dhanbad claiming that he was unknown to Shri Tooly and was arrested on suspicion requesting the Court that he be put on Test Identification Parade. Despite his persistent request, no Test Identification Parade was held and subsequently he was released on bail by the Court of Sessions. It was also pointed out that the Police had got recorded a statement of witnesses Arjun Sao and Baleswar Sao, U.S. 164 of Cr. P.C. But they did not name the concerned workman. Ultimately the case was committed to the Court of Session in Session Trial No 196/82 and the workman, after trial was acquitted by the Session Court.

7. This W.S. also alleges that only one witness (Shri A. K. Tooly) was examined on behalf of the management and three witnesses including the concerned workman were examined in defence. The management examined only one witness despite the fact that in the chargesheet submitted by the Police in the Criminal case several witnesses were named.

8. This W.S. assailed the domestic enquiry to be not fair and proper, giving various grounds for that. It has also been alleged that even in the Criminal trial, Shri Tooly had failed to identify the concerned workman. A prayer has been made to hold in favour of the workman and to order his reinstatement with full back wages and other benefits.

9. Before proceeding with the merits of the case it may be mentioned that the propriety and fairness of the domestic enquiry was taken up as a preliminary issue but it will appear from order dt. 2-7-92 of the learned predecessor that at the time of argument, it was conceded on behalf of the workman that the enquiry was held fairly and properly. The learned predecessor also held that the domestic enquiry was fair and proper.

10. The points for consideration are that whether or not the management had established and proved the charges against the concerned workman by its evidence in the domestic enquiry and, if so, whether or not the punishment of dismissal from service was justified.

11. Evidently the management has examined only one witness in support of the charges, Shri A. K. Tooly. It is also evident from the materials on the record that several persons must have witnessed the alleged incidence. From the evidence of Shri A. K. Tooly it is clear that other persons who were witnesses to the incidence included his son, his wife, driver and many persons who had assembled there on hulla.

12. From the record of the domestic enquiry it will appear that at about 9.00 A.M. of the same day (the incidence allegedly having taken place at 8.00 a.m.) Shri Tooly's statement was recorded by the Police at his residence which was treated as the F.I.R. in the Police Case. According to this F.I.R. at the time of incidence the informant was talking with one Shri Vasisth Mishra. The Vasisth Mishra was also not produced as witness.

13. There is no explanation on the record as to why other potential witnesses were not produced before the Enquiry Officer and as to why the management thought it sufficient to examine only Shri Tooly, leaving aside all the other important witnesses as indicated above. From the record of the domestic enquiry it does not appear that the management had made any attempt to examine any of those witnesses. May be that the son of Shri Tooly was a young child, still Mrs. Tooly, the driver and Vasisth Mishra were such important witnesses that it was expected of the management to examine them even if the management decided not to examine any of those many persons who had assembled there on hulla.

14. This is not to say that in a case if only one witness has been examined and if he has given credible evidence, even then the management's case should be doubted for non-examination of other witnesses. On the other hand in my opinion it would be justified to hold the charge to have been proved if that has been credibly supported in the evidence of that single witness. But when a number of important witnesses could have been examined but were not examined then the evidence of one single witness must be sifted with great care to come to a conclusion if that single witness has proved the allegation against the workman since the allegation, if proved, could lead as is the case here to the maximum punishment of dismissal from service.

15. The learned counsel for the management has argued that there was no reason to disbelieve the evidence of such a senior officer as Shri Tooly particularly when no ground go on the part of Shri Tooly against the concerned workman has been proved. True it is that if such single evidence is found credible while considering all the evidence on the record then it would acquire further credibility because evidently no bias against the workman on the part of Shri Tooly has been proved. But if these are circumstances which show that the evidence of that single witness was not credible or even subject of serious doubts, then it would be no ground to still treat that evidence to be good on the ground that the witness was a Senior Officer. In that case his evidence cannot be given credence, even if no motive is imputed to the witness.

16. It is on these premises that the evidence of Shri Tooly has to be evaluated. Naturally the evidence of Shri Tooly has to be considered also in relation to the FIR lodged by him which also is management's document.

17. In his evidence in the domestic enquiry he said that on 1-12-1981 his son and his wife started for Sijua on car while he was sitting on the verandah of his bungalow. A few seconds thereafter his son came running and told him that some persons had surrounded the car and were assaulting the driver. Then Shri Tooly came out of the gate, running, and found Dusrath Dusadh amongst those other persons. One of them told that this was Tooly Sahib who considered himself to be a big boss (Bara Sahib). No sooner he told that, all of them started assaulting him and he was brought inside the gate during the assault. They were assaulting with lathis and hands. He fell down, then his wife came running, fell upon him, and requested the assailants to spare her husband. Even then the assailants assaulted her also with lathi. Dusrath Dusadh had a pipe gun in his hand which when he wanted to use, his wife caught him. Much hulla was raised and many persons started assembling. At that one person took away his watch and they fled away. The witness further stated then he and his wife were treated at the Central Hospital, Loyabad.

18. In so far as the claim of the concerned workman that Shri Tooly could not identify him is concerned, it appears that in course of cross-examination, this witness replied that he was posted at Loyabad since last 8 years and knew many persons, and that he knew Dusrath Dusadh very well. Even the concerned workman in his evidence has admitted that when Shri Tooly was posted as Agent at Loyabad, he used to visit his office whenever such need arose. Therefore, in view of such evidence it is not possible to agree with the argument of the learned counsel for the sponsoring union that Shri Tooly could not have identified Dusrath Dusadh.

19. But I find that there are many differences and contradictions in the evidence of Shri Tooly when compared with the FIR lodged on his own statement. I will discuss those differences.

20. In the FIR the informant submitted that at about 8.00 A.M. he was talking with Shri Vasisth Mishra and on coming to know from his son that some persons at the gate were assaulting the driver, he and Shri Mishra ran towards the gate. But in his evidence in the domestic enquiry he has only said that he was sitting on the verandah. He does not say anything about talking with Shri Mishra or Shri Mishra running along with him up to the gate. In the FIR Shri Tooly had named one Govind stating that it was he who had said that Tooly was acting as a big boss, but in

his evidence in the enquiry he has not named Govind.

21. In the FIR it has been claimed that Govind then caught hold of his collar and pushed him inside (the gate) and started assaulting him in stomach and chest with fist. Then his other colleagues also came. But in his evidence before the Enquiry Officer Shri Tooly claimed all the persons had simultaneously started assaulting him outside the gate and in course of assaulting he was pushed inside the gate. From his evidence it will also appear, by implication, that the concerned workman was also assaulting him. In the FIR it had been claimed that after his wife came out and fell upon him and was also assaulted Dasrath Dusadh took out a country made pistol and wanted to fire upon him. But by then his wife pushed his hand with force because of which he could not fire. But in his evidence the witness did not say that Dasrath Dusadh had taken out the pistol, rather he said that Dasrath Dusadh had a pipe gun in his hand. Whereas in the FIR Shri Tooly had claimed that when he wanted to fire his wife pushed (jhatka) his hand with force because of which he could not fire, but in his evidence he said that his wife had caught hold of (hand or pistol) when Dasrath Dusadh wanted to fire.

22. There appears to be some exaggeration in this part of allegation, if not contradiction. It is not the case of the management or Shri Tooly that when either Mrs. Tooly pushed his hand or caught hold of Dasrath Dusadh or the Pistol itself, there was any fire which could have been there if Dasrath Dusadh was in the process of firing the pistol, or that even thereafter Dasrath Dusadh had again made any attempt to fire upon Shri Tooly. If his hand was only pushed, then if the workman really wanted to hit Shri Tooly with pistol, there was every chance that he would again have made attempt to fire from his pistol. This created considerable doubts, as to whether Dasrath Dusadh had any intention to fire from his Pistol even assuming for argument sake that he was present there and had country made pistol or pipe gun in his possession.

23. It may also be noted that Shri Tooly in his evidence had admitted that out of the assailants only Dasrath Dusadh was a workman and the rests were outsiders. It may also be of interest to note that in the FIR Shri Tooly had named all the 7 assailants crediting only Mangal Dusadh with having a lathi, but in his evidence he said that the assailant had assaulted his wife also with lathi (Hamlawaro Ne Unpar Vi Lathi Ka Var Kiya), indicating that more than one assailant was armed with lathi.

24. Therefore, it will appear that there are some serious commissions and contradictions in the evidence of Shri Tooly, when read together with his statement in the FIR.

25. No doubt, on the record are true copies of the injury report of Shri Tooly and his wife. Though the doctor has not mentioned his opinion about the weapon that might have caused injuries, but from the nature of injuries it will appear that both were assaulted by hard and blunt substance. To this extent the medical reports substantiate the allegation that on that day Shri Tooly and his wife had received injuries. But that this Tribunal is concerned at present is whether or not the charge has been proved against the alleged workman, that is, in other words, whether or not it has been proved that Dasrath Dusadh was one of the assailants in the incident that resulted into the injuries to Shri and Smt. Tooly.

26. It may be noted that in the FIR as well as in his evidence, a definite time of the incidence has been given, i.e. about 8.00 A.M. Shri Tooly in his cross-examination has admitted that the incident had taken place at about 8.00 A.M., further qualifying that it took place only seconds after 8.00 A.M. Therefore the incidence is pin-pointed at 8.00 A.M. or immediately after that. Even in the injury reports there is mention of 8.00 A.M. though it is not clear as to whether the doctor had noted the time of examination of the injured or the time of the occurrence, but in absence of any such specifics, I will treat it as the time of incidence. This is very important because the defence of the concerned workman is built around this time factor.

27. This is admitted fact that the workman was on duty from previous night starting from 12 O'clock and ending at 8.00 A.M. on 1-12-1981.

28. Shri Braj Bhushan Pd., Electrical Foreman who also was on duty on the same shift, is the first witness of the workman. He said that Dasrath also had worked in his shift and they had come out together at about 8.15 A.M. after which they had separated. During cross-examination he said that Dasrath was on duty with Ibrahim Mian, Mechanical Fitter. He also said that Dasrath used to report to him. He also said that both Ibrahim Mian and Dasrath had come to the surface together. He also submitted from the underground they came out everyday at about 8.15 A.M. When asked in the cross-examination he also said that from 5 No. pit where they were working, the bungalow of Shri Tooly could be reached between 3 to 5 minutes. There was also a short cut. On this particular point question was asked also to Md. Ibrahim, workman's witness No. 2 who said that it would take about 5 minutes time to reach the bungalow of Shri Tooly by the short cut, from 5 No. Pit.

29. Coming back to the evidence of WW-1, he also said in cross-examination that when he had asked for time from a man, he was told that it was 8.15 A.M.

30. WW-2 Md. Ibrahim supported that Dasrath was deputised with him as Helper. He said that they had come to the surface at about 8.15 P.M., and had deposited the head lamps before leaving for the house.

31. It may be mentioned that in chief, this witness had said that the lift had started at about 8.00 A.M. But on cross-examination he admitted that a lift takes about one minute to 1-1/2 minutes in coming to the surface. But the learned defence counsel has submitted that this witness did not say when at the end of the shift at 8.00 A.M., his witness had come to the surface in the first batch of workmen which the lift lifted. The learned counsel pointed out that all that this witness had said was that the lift had started at 8.00 A.M., and they came to the surface at about 8.15 A.M. This statement when read with the statement that it took the lift one minute to 1-1/2 minutes to come to the surface, suggests that they had taken to the lift which had come to the surface at about 8.15 A.M., which is in conformity with the evidence of WW-1 and the concerned workman.

32. In cross-examination this WW-2 also said that while coming to the surface, he was with Foreman Braj Bhushan Prasad, Dasrath Dusadh and Malkettas.

32A. It is also reasonable to assume that when the shift itself ended at 8.00 A.M., it would not be possible for the workman, even he is fast to take the lift, to reach at the surface, and to deposit the head lamp at 8.00 A.M. itself. Nothing has been taken from these witnesses to show that in that morning Dasrath Dusadh was in any hurry to depart.

33. Moreover, if Dasrath Dusadh was seen with country made Pistol at about 8.00 A.M. at the bungalow of Shri Tooly, then it has also to be assumed that after coming to the surface he had procured that country made Pistol from somewhere. It is not possible to assume in favour of the management that, despite the checks, the workman had dared to go underground with a country made pistol which he carried throughout the 8 hours while working with others. Then it is also evident that even if one rushes to the bungalow by the short cut, it would further take some time. Therefore, on the basis of the evidence of independent witnesses it does not appear possible that Dasrath Dusadh could reach the bungalow of Shri Tooly at about 8.00 A.M. after finishing his shift work.

34. The concerned workman also in his evidence has denied the allegation and has claimed that on 1-12-1981 he came to the surface at about 8.15 A.M. along with Ibrahim Mian, Braj Bhushan Pd. and other malkettas. He has also stated that on 2-12-81 he was in casual, and on 3-12-81 he was on leave and when on 3-12-81 at about 4 P.M. he came to the Loyaabad office for taking some advance, he was arrested by the Police. He also has said about the T.I. Parade. This witness was asked as to when the incident had taken place and whether after the incident he had gone to the officer's bun-

glow, the workman replied in affirmative, stating that much crowd had assembled there, and that the incident had taken place at about 8.30 A.M.

35. Therefore, considering the element as per the evidence of the workman's witnesses, it appears quite improbable that at the time of incident, as claimed by the management and Shri Tooley, Dasrath Dusadh could have been at the bungalow of Shri Tooley after finishing his shift.

36. In this connection an observation of the enquiry officer in his report is very important. While discussing the conclusions at the end of his report, the Enquiry Officer has stated that the Attendance Register, marked Ext. M-5 shows that the chargesheeted workman had come out of the mine on 1-12-81 to 8.00 P.M. Obviously, the mentioning of the time as 8 P.M. is a clerical mistake which may be read as 8.00 A.M. Therefore against the evidence of the workman's witnesses on the time factor, this Ext. M/5 assumes much important, because this tends to show that the workman had come out of the mine at about 8.00 A.M. On this point I would examine the circumstances under which this Ext. M/5 has been shown to have been exhibited by the Enquiry Officer. The enquiry officer at pages 2 and 3 of the records of enquiry has recorded opening of the management's case by the management's representative, Shri S. Kumar. At the bottom of page 3 of enquiry proceeding, the enquiry officer has written as follows :—

(Emphasis added by me)

"SHRI A. K. TOOLEY TATHA UNKI DHARMA PATNI MAARKE CHALTE JHAKHMI HUI THI UNKA UPACHAR CENTRAL HOSPITAL LOYABAD MEY KARAYA GAYA, VAHAKEY MEDICAL SUPERINTENDENT, DOCTOR TITUS DWARA LIKHIT INJURY REPORT PRASTUT KAR RAHA HUN."

"The injury report and Attendance Register, presented by Shri Kumar is shown, admitted, and marked as Exts. M/4/A, M/4/B and M/5."

What I find is that the portions underlined by me appear to have been added later on. Obviously Exts M/4/A and M/4/B are the two injury reports on the record. I see that the underlined portions appear to have been added later, because not only they appear to be in other pen, but also because the last portion of the aforesaid reproduction has been written in a manner showing that the words "Attendance Register" was not written in the same flow in that sentence. For this I will reproduce the last two lines as page 3 of the proceeding exactly as it is :—

"The injury report and Attendance Register is shown....
....."

37. Like reproduction above, the words "Attendance Register" has protruded into the margin portion of the last line in that page. All the lines in that page are in symmetry, leaving about two inches margin at the left side, but the words "Attendance Register" have been written in that margin, the rest of the sentence going over to the next page. If the words "Attendance Register" was written in the same flow, there was no reason as to why these two words would not have been in the symmetry or other lines, but would have protruded into the margin on the left side. It may also be noted that because of the paucity of the space even the word "Register" appears not to have been correctly spelt, but spelt as "Registr".

38. Moreover, from that paragraph above the last two lines on page 3 it will appear that the management representative had made declaration that he was presenting only those injury reports. There is no mention that the management representative stated that he was also presenting the Attendance Register. Therefore, it appears that the management representative had at that time only produced two injury reports which the Enquiry Officer had noted and marked Exts. M/4/A and M/4/B. To me it appears that there are sufficient grounds to show that the Attendance Register was shown to have been marked exhibit afterwards when importance of the time factor might have been realised. At least this realisation must have come after the workman adduced his evidence.

There are strong reasons to feel that the Attendance Register was shown to have been marked exhibit subsequently, but not while the injury reports were so marked after the reports were shown to the workman.

39. Since I entertained the doubt as mentioned above while I was going through the record after both sides had argued their case, I thought it proper to place my doubt before the management's Lawyer and to hear what he had to say about that. Thereafter this was placed before Shri B. Joshi, Advocate for the management on 4-8-1994. Shri Joshi submitted that the Enquiry Officer might have earlier noted marking of exhibit of only injury reports and immediately thereafter the management's representative might have told him that attendance register was also placed, hence he wrote the words "Attendance Register" in the margin, and "Ext. M/5" at the end of the sentence. About the ink he said that the writing appeared to him to be the same. But he admitted that this reasoning was of his own.

40. I find myself unable to agree because the underlined writings appear to me definitely in other pen which is more pronounced in the writing "and M/5". If the Enquiry Officer was immediately pointed out his mistake, then he could have written it after concluding the sentence about marking of the injury reports. Moreover, the paragraph above the marking of the exhibits also shows that the management representative at that time had placed before him only the injury reports.

41. This was, in all probability, done after the management had detected lacuna in its case. That lacuna, of course, still exists if the Attendance Register is not taken into consideration. Naturally under the aforesaid circumstances, this Attendance Register, which appears to have been brought on the record behind the back of the concerned workman can not be looked into nor any reliance can be placed upon such Attendance Register.

42. A question may be raised as to whether I can hold so after the learned counsel for the sponsoring union had conceded that the domestic enquiry was held fairly and properly. I have no doubt that, in the interest of justice, even after that this Tribunal can consider any point which is relevant for the purpose of a just decision and can be obtained from the materials on the record. Obviously the learned counsel for the sponsoring union did not notice this discrepancy in the record of the domestic enquiry. But this can never mean that a party to the dispute if found by the Tribunal doing something which was wrong to do, even then the Tribunal should overlook that merely because the sponsoring union had conceded that the enquiry was fair and proper.

43. I am not in conflict with the order dated 2-7-1992 of my learned predecessor in which it was held, when the learned counsel conceded the fairness of the domestic enquiry, that the enquiry was held fairly and properly. What I mean here to say that under the circumstances Ext. M/5 cannot be considered. At this stage I can not hold contrary to what my learned predecessor has already held on the point of preliminary issue. Even if I had that power, it would not have been just and proper to hold that the enquiry was not fair and proper, after which the management could claim to adduce fresh evidence in the Tribunal. This is a case of the year 1981-82 and the workman appears to have remained out of work since then. Therefore a final decision has to be given in this reference instead of further prolonging the matter which would, in fact, amount to denial of justice.

44. Now coming to the charge of unauthorised absence from duty, the management does not appear to have adduced any evidence in that regard, whereas in his explanation submitted to the authorities after chargesheet was issued, the workman has stated that he was not present because he was in custody. In his evidence also he has said as to how he was not present for two days next to the incidence. However, since the management has adduced no evidence on this particular charge, this charge must also be held as not having been proved.

45. Shri B. Joshi, Advocate for the management has argued that the truthfulness of Shri Tooley can be assessed from the fact that only after one hour of the incidence he had named

the concerned workman in his statement to the police. This indeed is a good point taken by the management. But naming a particular person for some crimes may be due to various reasons including a mistake of fact or false implication, for some reason. But when serious doubts are raised about the participation of the particular workman in the alleged incidence on the basis of the materials on the record, definitely the benefit of doubt must go to the workman. For this a decision reported in 1978-1-LJ-322 (Supreme Court) (K.C.P. Employees Association, Madras and Management of K.C.P. Ltd., Madras and others) in para 6 may be seen.

46. In view of the aforesaid discussions, and the materials on record I find that serious doubts arise about the allegation mentioned in the chargesheet relating to the participation of the workman in the alleged incidence. As already stated, there is no evidence on the record to hold that the workman had absented without information or sufficient cause.

In the result I am unable to agree to the conclusion of the enquiry officer that the management had been able to prove the allegation against the concerned workman. I hold that the management by its evidence has not been able to bring home the charges levelled against the concerned workman. Apparently there are circumstances which cast doubts on the reliability of the evidence presented on behalf of the management which points have already been discussed in details. In the result, I do not find that the action of the management of Loyabad Colliery in dismissing Shri Dasrath Dusadh vide their letter dated 12-6-82 was justified.

Now coming to the relief it may be borne in mind that the concerned workman has been given benefit of doubts that have cropped up about the charges framed against him. It will also appear that though the case related to the year 1982 yet the dispute was referred for adjudication by an order of the Central Government dated 8-9-89. From the reference letter it will appear that earlier the Central Government had declined adjudication after which the matter had travelled to the Hon'ble High Court of Patna and, under orders of the Hon'ble Court, the Central Government referred this dispute for adjudication after reconsideration of the matter. Therefore, it does not appear that the management was responsible for this long delay in getting the matter referred to for adjudication.

There is nothing on the record to show that during the intervening years the concerned workman had remained idle without doing anything to earn his livelihood.

Under the circumstances of the case and the facts mentioned above, I think it would be justified to award 50 per cent of the back wages to the concerned workman with effect from the date this dispute was referred for adjudication to this Tribunal i.e. with effect from 8-9-89.

Following therefore is the Award :—

"The action of the management of Loyabad Colliery of M/s. BCCL in dismissing Shri Dasrath Dusadh was not justified. The management is directed to reinstate the concerned workman immediately on this Award becoming enforceable and to pay the workman 40 per cent of back wages with effect from 8-9-89."

In the circumstances of the case, there would be no orders as to the costs.

P. K. SINHA, Presiding Officer

नई दिल्ली, 5 सितम्बर, 1994

का.प्र. 2578.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लि., बम्बई के प्रबंधन के संबंध में नियोजकों और उनके कर्म-कारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया (सं. 27), बम्बई के संघटन को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-94 को प्राप्त हुआ था।

[संख्या एन-30011/10/90-आई प्रार. (विधि)/आई प्रार. (कोल-1)]
सी. गंगाधरन, डेस्क अधिकारी

2134 GI/94—23.

New Delhi, the 5th September, 1994

S.O. 2575.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 2), Bombay as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Hindustan Petroleum Corporation Ltd., Bombay and their workmen, which was received by the Central Government on 1-9-1994.

[No. L-30011/10/90-IR(MISC)/IR (Conl-I)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY.

PRESENT :

SHRI S. B. PANSE, Presiding Officer.

REFERENCE NO. CGIT-2/24 OF 1990

Employers in Relation to the Management of Hindustan
Petroleum Corporation Ltd.

V/S.

Their Workmen.

APPEARANCES :

For the Employers : Mr. P. K. Rele, Advocate.

For the Workmen : 1. Mr. R. C. Shetty

2. Mr. Gilbert Nunes Represent-
atives.

INDUSTRY : Petroleum.

STATE : Maharashtra

State : Maharashtra

Bombay, dated 11th August, 1991

AWARD

1. The Government of India, Ministry of Labour, New Delhi by its order No. L-30011/10/90-IR (Misc.), referred to this tribunal an Industrial dispute in the following form : It states :

"Whether the action of the management of Hindustan Petroleum Corporation Ltd., Bombay in not paying the Monetary compensation to the Workmen who performed duty at various Industrial Establishments of the Corporation on 22nd January, 1988 which was declared as a holiday is justified. If not, what relief the Workman concerned are entitled to ?"

2. After receipt of the references all the concerned parties were duly served. The Workman through the Employees Union submitted its claim. It is contended that in terms of the long term settlement signed on 24th July, 1979 at All India basis covering the Workmen of four regions of Corporation in the Marketing Division and Refineries, it was agreed that fourteen (14) National/Festival holidays in a calendar year would be observed/finalised from the list of holidays declared by the concerned State Government as far as practicable in consultation with the Union as per the settlement. Accordingly fourteen (14) National/Festival holidays are being selected by the Workmen, concerned and finalised for each calendar year from time to time.

3. It was also agreed in the said settlement that those Workmen who are called to work on the Declared Holidays, would be paid Monetary Compensation as per rates agreed to in the Settlement in lieu of such holidays.

4. The Management declared holiday on 22nd January, 1988 for its Workmen working at Head-Quarters Office, Zonal Office and Regional Offices as a matter of respect to Late Shri Khun Abdul Gaffar Khan on account of his death. It did not declare holiday for the rest of the establishment in controvention of settlement. The Workers who were called on that holiday for work were not paid monetary compensation as agreed to in the concerned settlement.

5. The Union approached the management for their demand. But it was no use. Then a dispute was raised before the Commissioner and ultimately it was sent to the Government, which in turn had sent it to the tribunal for adjudication. The Union claimed that the Management be directed to pay the monetary compensation to the Workmen who performed duty at various industrial establishments of the Corporation on 22-1-1988, which was declared as a holiday for the Administrative Offices only, but was not declared so to the other Industrial establishment.

6. The Management resisted the claim by their written statement Exh. 3/M. It is averred that no holiday was declared on January 22, 1988 by the Management to its Administrative establishments. But it directed to remain closed. It is averred that the Management can close some of the establishments on necessary ground and at the same time ask the other establishments to work. It is contended that as per the Settlement fourteen (14) holidays are to be given in a calendar year. The Workmen cannot claim more holidays than that.

7. The Management in its demand contended that the Corporation did not declare holiday on 22-1-1988, but it selected its Administrative Offices to close early, if they so deemed to be fit. Thereafter after almost one year in December the Union by its letter dated 8-12-1988 demanded that the employees who had worked in various establishments of the Corporation should be paid overtime for having worked on that day. This demand is not justified as in that order fourteen holidays were already given. It is averred that it is admitted position that on January 22, 1988 except in case of some Administrative Office which partly suspended work, other establishments did not suspend work and as such the question of any overtime payment cannot and does not arise. It is denied that the action of the management is discretionary and violating the terms of the settlement.

8. My Learned Predecessor framed issues at Exh. 4. The issues and my findings thereon are as follows :

ISSUES

FINDINGS

1. Whether 22-1-1988 was declared as a holiday by the Hindustan Petroleum Corporation Ltd. for its administrative Offices ? YES
2. Whether the action of the management of Hindustan Petroleum Corporation Ltd., Bombay in not paying the monetary compensation to the workmen who performed duty at various Industrial Establishments of the Corporation on 22nd January, 1988 which was declared as a holiday is justified ? NO
3. If not, what relief the Workman concerned are entitled to ? As Per Order

REASONS

9. One Mr. Rajiva Chikkayya Shetty examined himself for the Workmen. So far as the management is concerned nobody stepped into the witness box. They relied on all the documents on the record.

10. It is not in dispute that long term settlements (Exh. 9-M) came into existence on 24th July, 1979. It was agreed that fourteen (14) National/Festival holidays in a calendar year would be observed/finalised from the list of holiday declared by the State Government as far as practicable in consultation with the Union as per the Settlement. Accordingly fourteen (14) holidays National/Festival holidays are being selected by the Workmen concerned and finalised for each calendar year from time to time. In the year 1988, the said fourteen holidays were selected and declared. It is not in dispute that these holidays were different to the different category of workers as approved by them. January 22, 1988 was not a day fixed as a holiday in these fourteen selected holidays. It is quiet natural that it would not be because the Central Government declared it as a holiday, as a matter of respect to late Shri Khan Abdul Gaffar Khan.

11. The management in their TP message dated 21-1-1988 declared Holiday to their Regional Offices at Ahmedabad, Belgaum, Bhopal, Bombay & Pune as under :—

"HEADQUARTERS OFFICE, ZONAL OFFICE AND REGIONAL OFFICES WILL REMAIN CLOSED ON FRIDAY 22ND JANUARY, 1988 (.) ALL TERMINALS DEPOTS T & E STATIONS AND LPG PLANTS WILL WORK AS USUAL (.) PLEASE ADVISE ALL CONCERNED IN YOUR REGION ACCORDINGLY (.) A SEPARATE ADVICE IS BEING SENT BY CHIEF P & A MANAGER (MKTG) TO YOU. (.)"

From the TP message it is very clear that the Headquarter Offices were remained closed on 22-1-1988. The Workers there did not work. The word used in this message is "REMAINED CLOSED" and the word holiday is not used. But one has to see its effect. The fact is that the workers in the Headquarters did not perform their duties on that day, which can be very well said to be a holiday. It is tried to argue the different meanings of the word holiday. But I do not find any substance in the same.

12. It is also not in dispute that the Industrial Establishments of Hindustan Petroleum Corporation Ltd. were open and workmen worked on that day as against the workers of Office establishment. This happened only because of the TP message sent by the Corporation. This act of the management is to be said as discretionary between one category of workmen against the other. When the Management was asked to pay compensation, for the workmen working on that day is laid down under long term settlement signed between the management and the Union, it was not upheld. This is contrary to the terms of Settlement. It is tried to argue that fourteen holidays were already declared and the workmen cannot claim more holidays as of a right. I do not find that they are claiming as a right, but their contention is that the industrial workers of the said Union are discriminated by the management. I find substance in it. It is tried to argue that there is no bar for a management to close down any establishment if the circumstance so want, either for the whole day or part of the day without declaring holiday for all establishments. To support this contention it is tried to argue when a Bomb blast took place at Bombay last year, the establishments near to that area were required to be closed and the other establishments who were far from the place of the incident were working. It is a case of exception. No prudent man will say that as it was closed the other establishments who were far from the place of the incident should also be closed, and as not closed should be monetarily compensated. After going through the Settlement I could not trace out how a management can close one establishment and ask its other establishments to work in the normal course. The message which was sent in respect of closing work on January 22, 1988 was of an arbitrary nature. It does not fall under exception.

13. The Government of India admittedly declared holiday on January 22, 1988. It is not disputed that Hindustan Petroleum Corporation Ltd., declared holidays on 14th April as Dr. Ambedkar's Jayanti and on 14th November as Jawaharlal Nehru's birthday. At that time whenever the workmen worked overtime was paid. In the written statement it is contended that the holiday was not declared on January 22, 1988 and ascertained that the corporation allowed its administrative office to close earlier if they deemed to be fit. But in the letter which was addressed to the Labour Commissioner in response to its letter, it is mentioned that on account of the death of Shri Khan Abdul Gaffar Khan, the Government of India declared January 22, 1988 as a holiday. As a matter of respect the corporation decided to keep its Administrative Offices closed on that day. However, other than the Administrative Offices all the others continued to work as the corporation had not declared a holiday. This is contrary to the stand taken in the written statement.

14. It is tried to argue that at Madras, the workmen were on a casual leave on January 22, 1988. Their applications were rejected as it was a mass casual leave, but in the negotiations between the Workmen and the management it was agreed that they are to be given a casual leave on that day. On its basis it is submitted that now these workmen cannot ask any compensation That is a different Union and this union is different. There are different Unions of the corpora-

tion, working at different zones. It is further submitted that the decision taken by that Union is not binding on it as the industrial dispute is raised by it. It is also argued that in the Grindlays Bank, the Presiding Officer Central Government Industrial Tribunal No. 2 came to the conclusion that the claim of the workmen of that Bank for overtime who worked on 29-5-1987 are not entitled to monetary benefits. The facts of that case are quite different from the facts of this case.

15. The Workmen in their claim prayed that as they have worked on 22-1-1988, they should be given monetary compensation. From the facts which are discussed above in effect the management has declared holiday on 22-1-1988 to its Administrative Offices, the result is that that holiday has to be declared as a holiday for the Working establishments, which they have not declared. The Workmen represented to the management for praying monetary compensation to them as they worked on the holiday which was rejected. This action of the management is contrary to the terms of long term settlement dated 22-7-1979. Under such circumstances I record my findings on the points accordingly, and pass the following order.

ORDER

1. The action of the management of Hindustan Petroleum Corporation Ltd., Bombay in not paying monetary compensation to the workmen who performed duty at various Industrial Establishments of the Corporation on 22-1-1988 which was declared as a holiday is not justified.
2. The Corporation is directed to pay monetary compensation to the workmen who performed duties at various Industrial Establishments of the Corporation on 22-1-1988.
3. The management to pay Rs. 300/- as the cost of this application to the Union.

11-8-1994.

S. B. PANSE, Presiding Officer.

नई दिल्ली, 6 सितम्बर, 1994

का.सा. 2576.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैगरे सिंगरेनी कोलोरिड्स कंपनी लि. के प्रबंधक के संबंध नियोजकों और उनके कर्मचारों के बीच प्रमुख में विवाद औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-9-94 को प्राप्त हुआ था।

[संख्या एस-22012/177/93-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 6th September, 1994

S.O. 2576.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Singareni Collieries Co. Ltd. and their workmen, which was received by the Central Government on 6-9-1994.

[No. L-22012/177/93-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

PRESENT :

Sri Y. Venkatchalam, M.A., B.L., Industrial Tribunal-I
Dated, 30th day of August, 1994
Industrial Dispute No. 25 of 1993

BETWEEN

The General Secretary,
Singareni Coal Mines Labour Union (INTUC),
Kothagudem-A.P. Petitioner

AND

The General Manager (Per.)
Singareni Collieries Company Limited,
Kothagudem Respondent

APPEARANCES :

M/s. G. Bikshapathi, G. Vidyasagar, V. Vishwanatham
N. Vinesh Raj and Ravi Mohan, Advocates—for
the Petitioner.

M/s. K. Srinivasa Murthy and G. Sudha, Advocates—for
the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012/177/93-IR (C-II), dated 12-7-1993 referred the following dispute under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947 between the Management of Singareni Collieries Company Limited, Kothagudem and their workmen to this Tribunal for adjudication :

"Whether the action of the management of S.C. Co. Ltd. Kothagudem, in not confirming Sri K. Premchander Rao as Chargehand Gr. 'C' w.e.f. 1-7-87 is justified ?

If not, to what relief the workman is entitled to ?"
This reference was registered as Industrial Dispute No. 25 of 1993 and notices were issued to both the parties.

2. The brief facts of the claim statement filed by the Petitioner workman read as follows :

It is submitted that the workman concerned in this dispute was working as Assistant Draughtman in Grade-C in the main workshop at Kothagudem. While so, Sri L. Subramanyam Sastry working as Chargehand in Grade-C retired from service w.e.f. 1-7-87 Sri K. Premchander Rao has been discharging the duties of Chargehand Grade-C. Apart from that he has also been looking after the Carpenter Section. There are six posts of Chargehand Grade-C and only 3 posts of Chargehand are being operated. In view of the above fact, the workman has discharging the duties in the most satisfactory manner, the Deputy Chief Engineer, Main Workshop, Kothagudem has recommended the change of the designation of the workman as Charge hand Grade-C. This recommendation was done in July 1987. Again in October 1987 permission was sought by the Deputy Chief Engineer to promote the workman as Chargehand Grade-C by filling up the existing vacant post. Again in March 1988 the authorities were requested to permit filling up the vacant post of Chargehand Grade-C by the workman herein. Since there was no action, the Petitioner Union submitted representation on 12-4-1988 stating that the workman has been continuously working in a clear vacancy as Chargehand Grade-C for more than one year and requested the Management to promote him with retrospective effect. But the matter was not attended to by the management, even though the Union reminded the management on several occasions. That a Memorandum of Settlement was entered between the Union and the Management on 17-4-1991. Under Item 3, para 2 of the Settlement, it is agreed that "other acting personnel who are continuously acting for more than one year in various timerated jobs will be confirmed in the existing vacancies". Since the workman has been continuously officiating as Chargehand Grade-C from 1-7-1987 and in view of the Settlement dated 17-4-1991, another representative was submitted to the Respondent-Management or

10-2-1992 followed by reminder dated 18-8-1992. As there was no response from the management, the Union approached the Assistant Labour Commissioner by letter dated 14-10-1992 and requested his interference for settlement of the dispute. The management sent a reply on 21-11-1992 stating that the workman did not possess the qualification and experience and he was not to be considered for the supervisory post of Chargehand Grade-C. In this regard the Petitioner Union have submitted that the workman has been working as Chargehand Grade C from 1-7-1987, consequent on the retirement of Sri L. Subramanyam Sastry and the concerned officers had also recommended the placement of the workman as Chargehand Grade-C in 1987 itself. It is submitted that the workman was promoted as Grade-D and Grade-C Assistant Draughtsman and he has also been working as Chargehand Grade-C. Therefore, there would not be any financial loss to the Company, if the workman is designated as Chargehand Grade C from 1-7-1987. In this regard it is also pertinent to submit that the Chief Engineer by his letter dated 1-10-1992 is understood to have recommended the charge of designation as chargehand Grade-C as a special case. That under the Standing Order of the Company, if an employee is officiating in a post for more than three months, he shall be confirmed in the said post. That apart, under the Settlement dated 17-4-1991, the employees who were acting for more than one year will be confirmed in the respective posts. In the instant case, since the workman has been officiating as Chargehand Grade-C and his work was found to be more satisfactory by the superior officers, he is entitled to be confirmed in the designation of Chargehand Grade-C w.e.f. 1-7-1987. Hence it is submitted that the demand of the Union is quite reasonable, justified and also recommended by the superior officers. Therefore, it is prayed that the Hon'ble Court may be pleased to pass an Award holding that the action of the Respondent in not confirming Sri K. Premchander Rao as Chargehand Grade-C as illegal and unjustified and consequently direct the Respondent-Management to confirm Sri K. Premchander Rao as Chargehand Grade-C w.e.f. 1-7-1987 with all consequential benefits and grant reliefs as the Hon'ble Court deems fit and proper.

3. The brief facts of the counter filed by the Respondent-Management read as follows :—

The matter relates to so-called confirmation of Sri K. Premchander Rao as Chargehand (Mechanical) Grade-C from 1987 which is purely a technical post in a particular trade. He never discharged the duties of a charge hand of any trade and the duties performed by him are of only clerical nature. The reference relates to "confirmation" in the post of a chargehand. Confirmation presupposes appointment in that particular post. Confirmation is nothing but an approval of ratification of appointment of an employee in the post made some time before, on probation. In this case there is no such appointment as such confirmation of the workman in the post of chargehand does not arise. Leaving alone his confirmation he does not have the requisite qualification even to hold the post of tradesman in any particular trade, as he was appointed as Tracer holding the I.T.I. Certificate in "Draughtsman". Before answering the claim statement, it is considered necessary to mention certain facts regarding the post of chargehand and the duties discharged by the workman Sri K. Premchander Rao. It is submitted that the post of chargehand is a promotional post for senior Tradesmen in a trade and they are called chargehand (Electrical) Chargehand (Mechanical) etc. The duty of the chargehand is to plan the works, assign works to tradesmen under him, guide them and get the works done efficiently. A mechanical chargehand besides qualifications, experience etc., must also possess knowledge of

other relative trades like welding, turner's job etc. This apart from the qualifications prescribed in Settlement dated 3-3-1989, Sri K. Premchander Rao is only an I.T.I. Draughtsman Certificate who works in drawing section. He is not qualified or trained in any of trades in which the posts of chargehand is being operated. It is submitted that Sri Premchander Rao is working as Assistant Draughtsman in Grade 'C' at Main Workshop, Kothagudem. It is true that Sri Subramanyam Sastry who was working as Checker Grade 'D' was promoted to Grade 'C' w.e.f. 1-3-1980 designated as chargehand. As there were no cadre schemes or promotional avenues in the year 1980, considering his length of services he was promoted to Grade 'C' and designated as Chargehand. It is a conditional promotion as chargehand personal to him. Even after promotion he was continued to work at Main workshop as Technical clerk, performing the same duties. He retired from the Company's service from 30th June, 1987. It is true that the jobs which were carried by Sri Subramanyam Sastry were entrusted to the petitioner workman as he is not having full workload as Assistant Draughtsman. The settlement under Section 12(3) is binding on the petitioner. It is not correct to state that the petitioner workman is discharging the duties of Chargehand Grade 'C'. In reply to para 4 of the claim statement, it is submitted that it is not true to state that there are 6 posts of Chargehand Grade 'C' and that five are being operated. The Dy. Chief Engineer has erroneously recommended only looking into the designation of Sri L. Subramanyam Sastry, Chargehand (Personnel) who retired from service, ignoring the functions that were being performed by Sri Sastry. He cannot do such recommendation after the Settlement dated 3-3-1989. It is true that petitioner gets promotions as due to him in his cadre. He was possessing the I.T.I. Draughtsman Certificate and appointed as Tracer. He got promotion from Grade 'E' to Grade 'D' to Grade 'C' as Assistant Draughtsman in his cadre. The petitioner workman, having availed the benefit of promotions from Tracer to Sr. Tracer to Assistant Draughtsman in his cadre, is estopped to claim the post of chargehand (Mechanical). The petitioner does not possess requisite qualification nor in the channel of promotion to be considered for the post of Chargehand. The demand for confirming him in the post of Chargehand (Mechanical) is not justified. There are no merits in the petitioner's case. In view of what has been stated above the Hon'ble Tribunal may be pleased to dismiss the claim petition with costs and reject the reference as not maintainable.

4. The point for adjudication is whether the action of the Respondent-Management in not confirming Sri K. Premchander Rao as Chargehand Grade 'C' w.e.f. 1-7-1987 is justified?

5. No oral or documentary evidence have been adduced by both the parties.

6. In this case it is seen that Sri K. Premchander Rao was working as Assistant Draughtsman in Grade C in the Main Workshop at Kothagudem, that on retirement of Sri L. Subramanyam Sastry chargehand Grade C on 30-6-1987, Sri K. Premchander Rao was directed to officiate as Chargehand in Grade-C and he was directed to look after the work of the retired personnel Sri L. Subramanyam Sastry w.e.f. 1-7-1987, that Sri K. Premchander Rao has been discharging the duties of Chargehand Grade-C, apart from this, the Petitioner workman was looking after the Carpenter Section. Now the claim of the Petitioner-workman is that the workman concerned has been discharging the duties in the most satisfactory manner, the Deputy Chief Engineer, Main Workshop, Kothagudem has recommended the charge of the designation of the workman as Chargehand Grade-C in July, 1987 by filling up the existing vacant post. As there was no action, the Petitioner Union submitted representation on 12-4-1988 stating that the workman has been continuously

working in a clear vacancy as Chargehand Grade C for more than one year and requested the Management to promote him with retrospective effect. There is no denial by the Respondent-Management that the concerned workman Sri Premchander Rao was working as Assistant Draughtsman in Grade C at Main workshop, Kothagudem and that Sri Subramanyam Sastry who was working as Checker Grade 'D' was promoted to Grade 'C' w.e.f. 1-3-1980 designated as Chargehand and also it is true that the jobs which were carried by Sri Subramanyam Sastry were entrusted to the concerned workman Sri K. Premchander Rao as he is not having a full workload as Assistant Draughtsman. It is pertinent to note that a Memorandum of Settlement was entered between the Union and the Management on 17-4-1991. Under Item 3, Para 2 of the Settlement, it is agreed that "other acting personnel who are continuously acting for more than one year in various time-rated jobs will be confirmed in the existing vacancies." Here in this dispute the petitioner workman has been continuously officiating as Chargehand Grade-C from 1-7-1987 and that in view of the Settlement dated 17-4-1991, the concerned workman is entitled for confirmation as Chargehand Grade 'C'. I am in total agreement with the contention of the Petitioner Union in seeking the confirmation of the concerned workman as Chargehand Grade 'C'. It is further seen that the Deputy Chief Engineer, Main Workshop, Kothagudem has recommended the change of the designation of the workman as Chargehand Grade 'C' in July, 1987 and that permission was sought by the Deputy Chief Engineer to promote Sri K. Premchander Rao as Chargehand Grade C by filling up the vacant post. I find that the concerned workman has been continuously working in a clear vacancy as Chargehand Grade-C for more than one year and he is entitled to be confirmed with effect from 1-7-1987 as Chargehand Grade-C in view of the Memorandum of Settlement dated 17-4-1991.

7. In the result, the action of the Management of Singareni Collieries Company Limited, Kothagudem, in not confirming Sri K. Premchander Rao as Chargehand Grade 'C' w.e.f. 1-7-1987 is not justified. The Respondent-Management is directed to confirm Sri K. Premchander Rao as Chargehand Grade-C with effect from 1-7-1987 with all consequential benefits.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 30th day of August, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

Appendix of Evidence

NIL

नई दिल्ली, 7 सितम्बर, 1994

का.प्र. 2577.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार द. भारत कोलिंग कोल लि. की मूनीडीह प्रोजेक्ट के प्रबंधन के संबंध में नियोजनों और उनके कर्मचारों के बीच, प्रसूचन में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-94 को प्राप्त हुआ था।

[संख्या एल-20012/150/90-आई प्रार (कोल-1)
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 7th September, 1994

S.O. 2577.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Moonidih Project of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 2-9-94.

[No. L-20012/150/90-IR(Coal I)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947.

Reference No. 242 of 1990

Parties :

Employers in relation to the management of Moonidih Project of M/s. B.C.C. Ltd.

AND

Their Workmen

Present :

Shri P. K. Sinha, Presiding Officer.

Appearances :

For the Employers : Shri H. Nath, Advocate.

For the Workmen : Shri D. Mukherjee, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 23rd August, 1994

AWARD

By Order No. L-20012(150)/90-I.R. (Coal-I), dated, the 1st October, 1991, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the punishment of dismissal as awarded by the management of Moonidih Project under M/s. BCCL on Shri Swapn Bouri, Miner/Loader under letter No. Mnd/PO/PA/Dismissal/89/2119 dated 24/27-9-89 is in proportion to the charge as mentioned in the charge-sheet dt. 7/8-3-89 ? If not, to what relief the workman is entitled ?"

2. The case of the management, as coming out from its written statement, appears to be that the concerned workman, Swapn Bouri, was appointed as temporary Loader by a letter dated 18/19-11-86 with the stipulation that if anything wrong was detected about his antecedent and genuineness his services would be terminated. At the time of joining the service the workman gave out that he was son of one Chhakan Bouri of village Gopinathdih, P.O. Lalpur, Dist. Dhanbad, who was an employee of Moonidih Project. But the family details submitted by Chhakan Bouri and the management did not show the workman to be his son. Rather, a witness who had signed on the verification roll of the concerned workman, gave a statement that the workman was not the son of Chhakan Bouri.

3. Therefore a chargesheet was issued to the workman for giving false name of his father which was a misconduct, according to the management, under Clause 17(i)(a) and 17(i)(c) of the Certified Standing Orders which run as follows :

"17(i)(a)—Theft, fraud or dishonesty in connection with employer's business or property.

17(i)(c)—Giving false information regarding one's name, age, father's name, qualification or previous service at the time of employment."

4. With the issuance of the charge-sheet the workman was suspended. The workman admitted in writing that he was the son of one Ram Prasad Bouri and not of Chhakan Bouri who, he claimed, was his uncle-in-law and with whom he used to stay.

5. Thereafter a departmental enquiry was conducted, the workman was found guilty of the alleged misconduct and was subsequently, dismissed from service by letter dated 24/27-9-89.

6. The workman in his written statement and his rejoinder had taken the stand that he was illiterate person and was staying with his uncle-in-law, Chhakan Bouri. It was also overruled that his application for employment was filled up by other person and because of inadvertant mistake the writer had shown Chhakan Bouri as his father in the employment form though the name of the workman's father was Ram Pada Bouri. The workman had taken the stand that there could not have been any malafide intention in committing the mistake because he did not got the service in place of Chhakan Bouri but in regular way.

7. The domestic enquiry was termed in this written statement to be irregular and invalid. It was also claimed that punishment was dis-proportionate to the charge levelled. Prayer was made to reinstate him with full back wages.

8. The propriety and fairness of the domestic enquiry was taken up as preliminary issue. The order dated 28-8-92 of the learned predecessor would show that at the time of argument an preliminary issue the learned Counsel for the workman conceded that the domestic enquiry was held fairly and properly. The learned predecessor also hold it to be so.

9. From the materials on the record, which are in the shape of documents relating to the domestic enquiry, it will appear admitted by the workman that though he had mentioned in his application form Chhakan Bouri to be his father but he actually was not his father. Admittedly, one Ram Pada Bouri was his father who usually lived in the district of Purulia at a place named Dumrapahari. This will be evident from the cross-examination of the concerned workman by the management representative. No doubt, during cross-examination the concerned workman also replied that his father lived both at Dumrapahari as also at Gopinathdih, but mostly at Dumrapahari. This place, according to the workman, was in West Bengal.

10. As already seen, and as will also come from the evidence of the concerned workman, the explanation was that the name of Chhakan Bouri was mentioned as father because of mistake. In his evidence he said that he was living at Gopinathdih and he was working under a contractor. Then he was told that vacancies had been published in M/s. B.C.C. Ltd. where people belonging to Bouri, Hari, Dom, etc. caste would be employed. Then he got paper prepared at the exchange office (Employment Exchange) which had opened at Moonidih and appeared in the test of carrying the coal. Having passed the test he was medically examined and was given a paper from the office to be filled up. He got it filled up by someone else, who asked him as to where he was living. When he said Gopinathdih then he was asked as to with whom he was living at which he named Chhakan Bouri. But that name was filled up in the form as his father which the workman deposited in the office and subsequently received letter of appointment. This workman has claimed in his evidence that neither he had committed any theft nor had committed any fraud or had practised any dishonesty. One Gora Babu (Ambika Prasad Pandey) had also read the paper and also had signed over it. According to the witness even he did not ask his father's name.

11. But I find myself unable to accept this explanation of the workman. The reason is that a number of documents appear to have been filed by the concerned workman in the management's office in which also he has been shown to be the son of Chhakan Bouri of Gopinathdih. Such documents were filed in the domestic enquiry. One is the caste certificate granted by the B.D.O., Dhanbad dated 3-5-86. It will also appear that in the attestation form one identity certificate was granted by the Medical Officer on 23-11-86 in which also he had certified him to be Swapan Bouri, son of Chhakan Bouri. In the verification roll the name is that of Chhakan Bouri. Dr. Ram Chandra Thakur also gave him character certificate showing him to be the son of Chhakan Bouri stating that the workman was personally known to him. All these persons would not have written the name of Chhakan Bouri as his father unless the workman had informed them that Chhakan Bouri was so related to him. A person who may be knowing another one, may know the place of his residence, but all of them may not know the actual name of his father and other relatives. In such case the name of the father is supplied by the person concerned.

12. To this extent misconduct of the workman as defined under Clause 17(i)(c) of the Certified Standing Orders stands proved because the concerned workman appears to have given the name of a wrong person as his father.

13. Having come to this conclusion which of course is admitted position, the next question to be decided is as to whether the punishment awarded to the workman was just and proper.

14. It is not exactly known as to why the concerned workman gave wrong information about his father's name because, admittedly, he was not inducted into service because he was son of Chhakan Bouri, an existing workman or under the scheme of voluntary retirement (of Chhakan Bouri).

15. Some answer may be found in the statement of the management representative who had opened the case for the management. He stated that in the year 1986 the Company launched a Scheme for appointment of persons belonging to Scheduled Caste, Scheduled Tribe and those who were displaced from the land provided they were registered in the Employment Exchange and who passed the trade test and were medically fit. The management has not claimed that the concerned workman did not belong to Scheduled Caste, rather a certificate of the caste of the workman is on the record. In any case it is not the case of the management that he did not belong to a Scheduled Caste. Therefore, according to the statement of the management representative, he fulfilled the criteria for being an applicant for the post and passed the test as well was found to be medically fit. Therefore, under such circumstances, he fulfilled the criteria for being appointed by the management irrespective of the fact as to whether he was the son of Chhakan Bouri or of Ram Pada Bouri.

16. Though the management representative has not filed the paper relating to the aforesaid scheme of the management so that correct terms and conditions could be known with certainty, but the management representative had put a question to Swapan Bouri when he gave his evidence which threw further light on the matter. The management representative asked him a question as to whether the workman knew that scheme for such appointment was limited to the local persons to which the workman replied in negative.

17. Nowhere it has been explained as to what exactly was meant by "local person". Whether this expression denoted persons who were "local" by birth, or who had shifted from elsewhere and were living locally for a period which could entitle them to be known as a "local person". But reason would say that if a person was living locally for a sufficient time, then he should be recognised as a local person. This is so because a person may be born at a particular place but he may shift to another place and continue living there. In such a case he may not be said to be a "local person" of the place of his birth simply because he was born at that place.

18. Here it may also be borne in my mind that this was only a question put by the management representative to which the answer was in negative, yet the management did not take any step to bring that scheme on the record. But I am considering this point taking, for argument's sake, that this was one of the stipulations.

19. There is enough evidence on the record to show that the concerned workman was living at Gopinathdih for a considerable time. All the documents on the record have this address.

20. The management representative, after giving his statement was cross-examined and a question was asked as to whether he agreed with his witnesses who had admitted that Swapan Bouri was living at Gopinathdih since last few years and was eking out a living by working under different contractors and that he was also a relative of Chhakan Bouri, to which the management representative replied that might be possible. His answer means that atleast he did not disagree with the witnesses that Swapan Bouri was living at Gopinathdih since last few years and was earning a living by working as contract-labour.

21. Another management witness, Bankim Chandra Pandey, said in his evidence that Swapan Bouri was living in their village Gopinathdih since last 4 or 5 years and was working under contractors.

22. Next witness Anbika Prasad Pandey also admitted that Swapan Bouri was living in his village since last 4 to 5 years working under contractor, and was relative of Chhakan Bouri. During cross-examination also he admitted that Chhakan Bouri was living in his village since last 4 to 5 years. Therefore, evidently this workman was living at Gopinathdihi since last few years. This, in view of the evidence on record, made him entitled to be selected for the job on his own merit, without any reference to Chhakan Bouri. Moreover, in the chargesheet this workman has not been charged that he has furnished false information about the place of his living.

23. Therefore though the workman committed a mistake for whatsoever reason, yet I don't find that by doing this he had obtained any help in getting the service or had harmed any other workman or the prospect of any other person in securing the job.

24. In this regard a decision of Hon'ble Patna High Court in a Division Bench, reported in 1967 (II) LLJ. 668 (between Bharat Ram and Union of India) may be seen. In this case the workman was charged on two counts, that he had acquired property without reporting to the proper authority and that at the time of entering service he had given wrong caste and wrong parentage. In so far as the charge about caste and parentage was concerned, their Lordships observed as follows :

... As to the second point raised by the learned Counsel I am of the opinion that the wrong parentage and caste given by the petitioner are not by themselves so serious as to hold him guilty of having violated the provision of Rule 3... It has been said that men give false statement of a harmless nature for so many reasons and some for no reason at all. ... There is no finding to the effect that by giving an incorrect description of his caste the petitioner obtained any unfair advantage for himself, or else any other official was deprived of his benefit. Consequently this charge appears to be of a very trivial nature."

25. In that case the petitioner had given a reason for mentioning wrong parentage. But their Lordships have observed that such false statement of a harmless nature may be given for no reason at all and they would appear to be trivial if the person concerned has not obtained any unfair advantage or if he had not deprived any other person of his benefit by giving such false information.

26. The learned Counsel for the management has argued that in the case between Gujarat State Road Transport Corporation Vs. Kochraji Motiji Parmar (Spl. C. Application No. 785 of 1990) cited in Indian Factories & Labour Reports 1994 (68)—3 in the Summary of Cases, their Lordships of Gujarat High Court had dealt with the power of the Tribunal to interfere with the decision of the management under Section 11-A of the I.D. Act. It was held that if the Tribunal was satisfied that the punishment imposed by the management was highly disproportionate to the degree of guilt of the workman concerned only then the Tribunal can interfere with the punishment. That case related to the misconduct of misappropriation of fund for which the workman was dismissed. But I have already given reasons as to why I find punishment to be disproportionate.

27. Under such circumstances it would appear to me that though the misconduct was proved, yet the punishment awarded under the circumstances must be held to be disproportionate to the charge proved.

28. The question would be as to what should be just punishment for the misconduct proved against the workman.

29. The workman was earlier suspended and has remained dismissed since September, 1989. Therefore, he has been in the wilderness for a number of years. If the workman is reinstated in his service, but without any back wages, that, in my opinion, would be a just and proper punishment to the workman.

30. The following award is rendered—

The punishment of dismissal as awarded by the management of Moonidih Project was not proportionate

to the charge levelled against the workman. The management is directed to reinstate the workman immediately on this award becoming enforceable, but without any back wages.

Under the circumstances of the case there will be no order as to the cost.

P. K. SINHA, Presiding Officer

नई दिल्ली, 7 सितम्बर, 1994

का.अ. 2578.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, एयर इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) बम्बई के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार की 2-9-94 को प्राप्त हुआ था।

[संख्या एन-11011/1/93-आई आर (विवाद)/आई आर (कोल-1)]
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 7th September, 1994

S.O. 2578.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Bombay as shown in the Annexure in the industrial dispute between the employees in relation to the management of Air India and their workmen, which was received by the Central Government on 2-9-1994.

[No. L-11011/1/93-IR(MISC.)/IR(Coal-1)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL AT BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.
Reference No. NTB-1 of 1993

PARTIES :

Employers in relation to the management of Air-India.
AND
Their workman

APPEARANCES

For the Management.—S[Shri Swamy, Rale, Chandrachud, Advocates.

For the Workmen.—Shri Singhavi, Advocate.

INDUSTRY :

AIRLINES

Bombay, dated the 27th day of July, 1994

AWARD (Part-I)

The Government of India, Ministry of Labour, New Delhi has made the following reference to this Tribunal by order dated 2-4-1993 for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

SCHEDULE

Whether the Indian Flight Engineers' Association (IFEA) is justified in demanding :

- a second flight engineer on longhaul flights exceeding 9 (nine) hours that are operated with an additional commander;
- compensation based on their claim for integration of cockpit crew of Air-India Boeing 747 and Air Bus 300 aircrafts; and
- provision of full wing on their uniform instead of half wing as at present;

If so, to what relief the workmen are entitled to ?”

2. The Indian Flight Engineer's Association has filed statement of claim under the signature of Shri R. D. Shenoy Asst. Secretary. Indian Flight Engineer's Association (IFEA) is a trade union registered under the Indian Trade Union's Act, 1926.

3. Under the Air Corporations' Act, of 1953, effective from 28 May, 1953, two such Corporations were formed as on June 15, and August 1, 1953. Air India operated its fleet with Boeing 747-200 and 300 series Aircrafts, Airbus A300-B4 and A-310 200 series Aircraft. On Boeing 747 and Airbus 300-B4 Aircraft, Flight Engineer forms the minimum crew complement according to statutory requirements. The nature of duties and the background is set out in the statement of claim. On 2-12-1992, the Association sent a letter to the Managing Director of Air India, raising the long standing pending demands including the above three, referred to this Tribunal for adjudication. The Association marked a copy of this letter to the Regional Labour Commissioner. The Regional Labour Commissioner took the matter into conciliation and called the parties for a meeting. However, no solution could be found and therefore, this reference.

4. So far as the first demand is concerned, it is stated that, the Management had all along been indicating to the Association that it wanted to start nonstop long haul flights between Bombay and Delhi to destinations in Europe, including London. That could not be started because of the existing Bilateral Agreement on Flight time and Flight duty time limitation, which were 9 hours and 12 hours respectively. The operation of Long Haul non-stop flight involved flight time greater than 9 hours and therefore, it was necessary to have a fresh agreement between the Association and the India Pilot Guild (IPG) with the Management before the Long Haul Flights could be operated. The matter was discussed and after negotiations, on 5-2-1988 a settlement was arrived at on the said subject of Long Haul Flight in the larger interest of the Corporation. No such settlement could be reached between the Indian Pilot Guild (IPG) and the Management and on 9-2-1988, an administrative order was issued prescribing the flight time. By this administrative order, the flight time of 10 hours 30 minutes (scheduled) and duty time of 12 hours 30 minutes extendable upto 14 hours at the discretion of the Commander, a single set of crew was to be provided.

(b) Flight time of 10 hours 30 minutes (schedule) upto 12 hours—schedule duty time 14 hours extendable to 16 hours at the discretion of the Commander—one additional pilot/commander when available and a flight engineer when applicable.

and

(c) Flight time beyond 12 hours (scheduled) duty time of 16 hours extendable to 18 hours—one additional Commander, first officer and a flight engineer when applicable.

This Administrative Order was challenged by the IPG in the High Court of Bombay and by judgment dated 8-3-1989 the High Court rejected the petition.

5. On 1-7-1989 however, the Management and the IPG signed a memorandum of settlement thereby agreeing amongst other issues, to provide one additional commander on flights which exceeded flight time of 9 hours. The complement of crew therefore for such flight exceeding 9 hours would be 2 commanders, one co-pilot and a flight engineer.

6. The Association submitted a charter of demands dated 5-10-1989 demanding provision of 2 flight engineers in a flight of flight time exceeding 9 hours, which had an additional commander. This demand was made on the basis of industry practice worldwide. The Association signed the memorandum of settlement with the Management on 13-1-1989. However, it is stated that the association's demand for second flight engineer could not be resolved.

7. The Association terminated the settlement dated 5-2-1988 by letter dated 10-1-1991, under Section 19(2) of the Industrial Disputes Act, 1947. It is thereafter, an industrial dispute was raised and the matter is now referred to

this Tribunal, as the same could not be resolved during the conciliation. It is stated that though non-stop longhaul flights have been operating since 1988, the Flight Engineers operating have been complaining about excessive fatigue experienced by them on such long haul flights, this is particularly so in the last phase of the flight. They have also experienced apprehension that should any emergency or abnormal situation arise in the phase of the flight, safety may be jeopardised. It is their case, that even the flight duty time limit (FDTL) is arrived at after taking the crew fatigue into consideration as a primary factor and any increase in the normal FDTL calls for a relief crew. The management provided such relief to the Pilots by an agreement arrived at with the IPG however, declined the same to the Flight Engineers. Once again it is stated that it is a practice in the case of major Airlines operating in the world to provide a relief Engineer, whenever a relief pilot is provided.

8. The second demand is justified by giving a brief history. This part of Award however, is, restricted to demands Nos. 1 a-c, and, therefore, I shall now take up the justification given for demand (c).

9. The Flight Engineers are asking for Full wing on their uniforms, instead of Half wing. This is again based on the standard practice of almost all Airlines.

10. On behalf of the Management, written statement has been filed resisting the claim made by the Association of the Flight Engineers. A preliminary objection has been raised that since these demands made are covered by reference bearing number NTB-1 of 1990, to which the Association as well as Air India are parties, the present reference bearing number NTB-1 of 1993 is not called for, and is not tenable. Orders on this were pressed on behalf of the Management and after hearing both the sides I have passed an order dated 14-10-1993 rejecting this contention.

11. On merits the management has stated that the demand No. 1, demanding an additional flight engineer on longhaul flights is not tenable in view of the settlement arrived at between the parties and also in view of statutory flight duty time and flight time limitations laid down by the Authority, namely DGCA. It is further stated that demand based on the industry practice also does not justify the same. It is further stated that both the management and the association are governed by the directives issued by the DGCA and demand cannot be made as well as it will not be justified in violating the limitation imposed by the DGCA under circular issued by the DGCA dated 10-12-1992, additional flight engineer is required only for flight duty time and flight time exceeding 15 hours and 12 hours respectively. Inasmuch as the long haul flights do not exceed 10 hours, the demand is not justified.

12. Coming to the demand about full wing, it is stated that the distinction has to be kept between the Pilot and the Flight Engineers, keeping in view the Aircraft Act, read with the Aircraft Rules. It is the Commander who is in exclusive and sole control of the Aircraft. As a result of this, it has been the policy of the Management to provide full wing in uniform only to the Pilot and not to any other category of flying crew. It is further stated that the demand for stripes on the uniforms was agreed to and the Management by settlement dated 23-4-1993 agreed to make the flight Engineer identifiable as a part of the flying crew have been already provided with these stripes. The Management has prayed for rejection of this demand.

13. That part of the written statement dealing with demand No. 2, for compensation is not set out here.

14. Rejoinder has been filed on behalf of the Association, with regard to the settlement. It has been stated that there only one settlement dated 5-2-1988 and that was not for any particular period. It was terminated by letter dated 10-1-1991. It is denied that there is no flight exceeding flight time of 10 hours. It is further stated that by providing additional commander, relief has been provided to the Pilots. Reference has been made to the Khosla Award and the report by the Civil Aviation authority of United Kingdom (UK) published in the year 1973.

15. With regard to the full wing it is stated that not only the Commander, but also the First Officer is also provided with full wing though he is not exclusively and solely in control of the aircraft. The Airhostess and the Cabin Crew members have half wing on their Uniform, and therefore the Flight Engineer is not identified from them as a Flying Crew. It is further stated that every member of the cockpit has a particular and specific role and each one has clearly defined responsibility for the safety and efficiency of the flight. The standing orders lay down succession of commands in case of emergencies. It does not support the chain of seniority, a passenger with a commander licence will have precedence over the first officer in case of emergency, whether he is wearing full wing or no wing.

16. As stated earlier, first issue has been already answered by me by order dated 14-10-1993. It was agreed that the hearing and findings on Issue No. 4 should be deferred and the remaining Issues should be taken up first. Issue No. 2 relating to the demand of the Association for an additional Flight Engineer and the Management denying it on the ground of the provisions of the settlement and the statutory flight duty time limitations laid down by the DGCA will have to be taken up for consideration. On behalf of the Management Shri Rele made his submission on Issue No. 3 in the beginning. It is his case, that the Association agreed to operate non-stop long haul flight, and the flight time and the flight duty time limitations was also agreed upon. It was agreed that flight time in case of 10½ hours and extendable upto 14 hours, and the flight duty time can be 10 hours extendable upto 18 hours. The management also agreed to pay the Flight Engineer operating the non-stop longhaul flight a sum of U.S. Dollars 275 and if, there was a second flight engineer required to operate a non stop long haul flight, each engineer would be entitled to a sum of U.S. Dollars 275. It was also stipulated that those flights exceeding flight time of 9 hours also will be dealt with under the administrative order issued on 9-2-1988. It appears that to this administrative order the Indian Pilot Guild raised an objection by filing a writ petition bearing number 443 of 1988, and by judgement dated 9-10-1988, the same was dismissed. The High Court held that there was no merit in the petition. It was observed that the Indian Flight Engineers Association had agreed to operate the Non-stop Longhaul Flights. It also agreed that this reference is mainly on the point of fatigue felt by the flying crew as a result of operation of flights exceeding flight time of 9 hours. It is to be noted that after the judgement on this writ petition, the IPG arrived at a settlement dated 1-7-1989 and agreed to operate the flights. On 5-10-1989 the Association of the Flight Engineers submitted a charter of demands. One of the demands was about the flight time and flight duty time limitations. It mentioned the number of flight engineers with the flights having flight timings and flight duty timings and number of landings.

17. It is seen that by the flight having flight time of 9 hours and flight duty time of 12 hours, instead of one flight engineer it asked for an additional flight engineer. When an additional Commander was carried. On 13-3-1990, another settlement was reached between the Association and the Management, and it will be seen therefrom that though a demand was made for an additional flight engineer, the same was not insisted upon, and it reads thus :

"The following special conditions of service have been arrived at, keeping the avoidance of excessive fatigue to the Flight Engineers and the safety of operations as a sole criteria."

18. Thereafter, the provisions have been made for Flight time and flight duty time, total hours of duty, rest period etc. Under the head General, it has been mentioned that,

"All existing benefits, obligations, practices awards, settlements, etc. shall continue in effect, in so far as they are specifically modified by any terms of this settlement or under provisions of any law for the time being in force."

This required the approval of the Board of Directors of Air India and, after approval, the same terms were incorporated in the settlement dated 21-9-1990. It is to be mentioned that in this settlement dated 21-9-1990, clause 15 is to this effect :

2134 GI/94—24,

"The Association agrees that all the demands raised in the above mentioned charter of demands are fully and finally settled by this Memorandum of Settlement, but the Association demands that the question of Basic Pay Scale needs to be referred for adjudication."

It was therefore, urged on behalf of the Management, that since this was one of the demands made by the charter of demands dated 15-10-1989, and since it was agreed that all the demands therein are fully and finally settled, it will not be open to the Association now, to turn round and say that the demand for an additional flight engineer is still requiring adjudication. In this connection, provisions of Section 18 of the Industrial Disputes Act have been relied upon, which reads thus :

"A settlement arrived at by agreement between the employer and workman otherwise than in the course of conciliation proceedings shall be binding on the parties to the agreement."

The proviso states that A settlement arrived at in the course of conciliation proceedings under this Act [or an arbitration Award in a case where a notification has been issued under sub-section (3-A) of Section 10-A, or an award (of a Labour Court, Tribunal or National Tribunal) which has become enforceable] shall be binding on all the persons referred to in clause (c) of sub-section (3) of this Section.—Where a party referred to in clause (a) or clause (b) is an employer, his heirs, successors or assigns in respect of the establishment to which the dispute relates ;

Clause (d) is applicable here. It says that :

"Where a party referred to in clause (a) or (b) is composed of workmen, all persons who were employed in the establishment or part of the establishment, as the case may be, to which the dispute relates on the date of the dispute and all persons who subsequently become employed in that establishment or part."

19. The contention on behalf of the Association is that, when this settlement was arrived at, the Management had suppressed the fact that there was an agreement with the Indian Pilots Guild and the Management on 1-7-1989. Because of the suppression of the material that the Management had agreed to provide an additional Commander on longhaul flights exceeding 9 hours, the Association entered into the settlement dated 13-9-1990 and 21-9-1990. It is difficult to accept this contention. This has not been pleaded in the statement of claim. Apart from this, Mr. Fadnis who was an active member of the Association and working for the association right from 1989-90 in various capacities, as General Secretary, Vice President etc. states in para 3 of the affidavit, that they were surprised that the Management signed an agreement with the Indian Pilot Guild, giving them additional flight time and flight duty time benefits. He stated that,

"We recorded our protest against this, in the letter of IFEA dated 5-10-1989, which was signed by me. Annexed to this letter was a fresh charter of demands. We terminated the earlier charter of demands. It is pertinent to note that in this charter of demands all the demands which are now being referred for adjudication had been raised. However, these demands could not be settled in the settlement with the Management dated 13-3-1990."

This clearly goes to show that the Association or its Office bearers became aware of the settlement dated 21-7-1989 with the IPG soon after the settlement, and it is too late in the day now to contend that they were not aware of it. It is difficult to believe that the IFEA could not come to know about an agreement between their counterparts, and the Management, and it is therefore difficult to accept this submission. Therefore, if they had made a demand for an additional flight engineer, on the longhaul flight with an additional Commander, and the settlement of March 1990 not giving the association the relief in that behalf mentioning therein that all their demands raised in the Charter of Demands are fully and finally settled by the Memorandum of Settlement,

ment except the question of Basic Pay Scale which was required to be referred for adjudication, it is binding on the parties to the agreement.

20. It was then urged that, the Management had given an assurance that, if the IPG gets any benefit, the same would be passed on to the Flight Engineers also, when the agreement of 1988 was signed. This is what is stated in his affidavit by Shri Fadnis. Now, it is again difficult to accept this submission. Once again it is to be pointed out that, it is not mentioned anywhere in the statement of claim. It is difficult to understand why the Association did not insist upon such a clause being entered in the settlement of 1988, or in spite of such an assurance and even after coming to know that the Pilots have got the benefit of additional Commander in terms of the settlement the IFEA entered into a settlement of March, 1990 without getting that relief. The argument that the Association was not aware of it is dealt with by me and rejected. In the circumstances, it was urged on behalf of the Management that such a plea could not be raised in view of the provisions of the letter. It is also difficult to accept it on the touchstone of probabilities.

21. The Engineers pursuant to the agreement of 1988 got the benefit of going on Longhaul flights and also substantial benefits accruing therefrom. They will not be allowed to approbate and reprobate.

22. It is contended that the agreements of February, 1988 as well as March 1990 and September 1990 have been terminated and therefore, they are free to make the demand. Reference will have to be made in this connection, to Section 19 of the Industrial Disputes Act, 1947. Under Sub-Section (2):

"Such Settlement shall be binding for such period as is agreed upon by the parties, and if no such period is agreed upon, for a period of six months (from the date on which the memorandum of settlement is signed by the parties to the dispute) and shall continue to be binding on the parties after expiry of the period aforesaid, until the expiry of two months from the date on which a notice in writing of an intention to terminate the settlement is given by one of the parties to the other party or parties to the settlement."

23. Agreement dated 5-2-1988 is signed on 5-2-1988 and it does not mention therein, the period for which it will be operative. In that event, it is to be operative and binding for a period of six months and continue to be binding on the parties for a period, until the expiry of 2 months from the date of service of a notice of termination of that agreement in writing by any one of the parties on the other party or parties. In the present case, the notice of termination of settlement dated 5-2-1988 has been given on 10-1-1991, and therefore, it shall continue to be binding on the parties for a period of two months after that date, i.e., till at least 10-3-1991. On 13-3-1990, another agreement has been signed and that provides that all existing benefits, obligations, Awards settlements etc., shall continue in effect except so far as they are modified. Therefore, the terms of this settlement came into effect from 1-10-1985 and remained in effect till 31-8-1990 till terminated by either party, mentioned under the provisions of the Industrial Disputes Act. On 21-9-1990 the parties have signed an agreement and it says that the terms will be effective till August 31, 1990, the terms of this agreement will continue in force beyond 31st August, 1990 until this settlement is terminated by either party by giving notice of termination of agreement in writing. It has not been so far done. Therefore, it is futile to contend that the Association made the demands after the termination of the settlement and therefore, not bound by the settlement. In fact, Shri Singhvi on behalf of the Association submitted during the course of his argument, that the demands were made in 1989 and that this Award should be given effect to from that date. According to him, justification to be given is with reference to the demands made in March 1989. At that time, at any rate, this settlement was operative, had not been terminated and it could not be said that it was after termination, the Association made the demands and that it was not hit by the settlement. In view of all this, I am of the view that the demand made of an Additional Flight Engineer is not justified because of the settlement.

24. The second point raised is about the statutory flight duty time limitations laid down by DGCA circular dated 10-12-1992 is produced over complement is to be found in 3.2.7 which deals with flight duty time limitations. For flight duty time of 11 hours the complement is 2 Pilots and for 12 hours 2 Pilots and one Flight Engineer. Therefore also the demand of additional Flight Engineer is not justified. Here it is asked for in case it exceeds 9 hours. The complement of Pilots is two in such a case but flight engineer is only one therefore the number of Flight Engineers cannot be linked up with the additional Pilot.

25. For internal carriers provision made in clause 4. Clause 4.2.1(i) speaks of a case where there are 2 Pilots and one additional Crew Member. There it speaks of maximum of 10 hours of flight time during 24 consecutive hours. Rest period is spoken of in 4.2.2. and if the Flight Crew has flown 9 hours or more during 24 hours he shall be given 18 hours of rest before assignment of further duty.

26. 4.4. periods the maximum flight duty time/flight time where 2 Pilots operate, (12 hours/9 hours) 2 Pilots and one other Flight Crew member (12 hours/10 hours) 3 Pilots (14 hours/10 hours) etc. Therefore D.G.C.A. circular also does not help the case of flight engineers.

27. For International Flights, the Crew composition is:

Crew Composition	Flight Time	Flight Duty Time	7 days	30 days
	hrs.	hrs.		
2 Crew, Pilot, Co-Pilot.	9	12	30	125
3 Crew, Pilot, Co-pilot, One Pilot/Engineer	10	12	30	125
4 Crew, 3 Pilots, One Addl. Crew Member	12	15	-	125
Multiple Crew 4 Pilots or 2 sets of Crew	14	16	-	125

28. Therefore, considering the D.G.C.A. Circular, I find that the demand for an additional Flight Engineer being linked up with an additional Pilot cannot be said to be justified.

29. It is the case of the Indian Flight Engineers' Association, that an additional flight engineer on Long Haul (exceeding 9 hours) flight should be provided when an additional commander is carried on the flight. The claim is based on Industry Practice, Excessive Fatigue and Flight Safety. I shall deal first with the aspect excessive fatigue and flight safety.

30. It is to be noted that on behalf of the Indian Flight Engineers' Association (hereinafter referred to as the Association, for short) affidavits have been filed and two witnesses have been cross examined on behalf of the management. Management have also filed affidavits of Mr. V. A. Ferreira, Senior Industrial Relations Manager (Officiating) and Shri Captain Krishna Mohan, Dy. Director Flight Operations (Officiating), who have been also cross examined on behalf of the Association.

31. I find that Mr. Pankajan, General Secretary of the Association has not stated a word about fatigue, much less excessive fatigue, though in the statement of claim, a case to that effect has been made out in para 18.

32. It is stated that they have been receiving complaints since the year 1988, when the longhaul flights operations commenced, from its members and that the complaint received was of excessive fatigue experienced, and 'particularly in the last phase of the flight'. It is further mentioned that they have expressed their apprehensions that "should an emergency/abnormal situation occur in this phase of the flight, SAFETY may be jeopardised". In spite of this, as stated

above, Mr. Pankajan, who himself has been a flight engineer for the last 22 years and, and he being the General Secretary of the Association, aware of the facts of the case does not speak about it. Mr. Tiwari, another Flight Engineer, who filed his affidavit, and it is also to be noted that though he has been a member of the Crew, and in service as Flight Engineer for over 23 years and claims to be aware of the facts of the case, does not say anything about fatigue, or excessive fatigue. The third witness is, Mr. Krishnamoorthy, and once again I find that he also does not speak about this aspect of fatigue. He is also a Flight Engineer for the last 18 years and has sworn an affidavit.

33. Mr. Chandran, who is the Vice President of the Association is the next witness who has been working as a Flight Engineer for the last 16 years and conversant with the facts of the case, is also silent on the said point. The last witness examined on behalf of the Association, is Mr. Phadnis, was in the employment of Air India, since 1955 as Flight Engineer, till January 1992, and an active member of the Association, since the year 1969 till 1990, in various capacities, such as member of the Managing Committee, Assistant Secretary, General Secretary and Vice President. He was also a signatory to the settlement entered into on 5-2-1988. He has also stated nothing about the fatigue aspect. Therefore, I find that the oral evidence adduced is silent on this point.

34. The Memorandum of settlement which was to come in to effect from 13-3-1990, begins with 'Special Conditions of Service' and it is stated therein:

"The following Special Conditions of Service have been arrived at, keeping the avoidance of excessive fatigue to Flight Engineers, and the safety of operation as a sole ex criteria."

Thereafter, under the head, General Clauses, it is mentioned that—

"Based on Fatigue/Jet lag/Time Zone change etc."

It covers under the head relevant factors with regard to calculation of flight time for compensation benefits etc., flight duty time being the only governing factor, even though the flight time may exceed due to adverse winds, diversions etc., and delays caused on departure of flights enabling the Flight Engineers to utilise the delay towards their rest. It further deals with night flying. No flight engineer would be made to be put on duty for more than two consecutive nights, and thereafter it deals with extension of duty hours, and rest and 'time off'. It also deals with rest period on route, rest/time off facilities. Under the head general in this Memorandum of Settlement, it has been mentioned that this is to be operative from 1985 and would remain in force till 31-8-1990, and thereafter, till such period that the settlement is terminated. I therefore, find that the aspect of fatigue, and safety of operation was very well taken into account while reaching this settlement. It is to be remembered that this is being done since the long haul flights were operated in 1988. In spite of this, the association did not find it necessary to insist on an additional flight engineer on the ground that the Flight Engineer was experiencing excessive fatigue, more particularly, during the last phase of the flight, as stated in the statement of claim.

35. It is an admitted position that the Pilots' Association challenged the directions issued by the Corporation by writ petition in the High Court, and the same was rejected. An signatories to the Memorandum of Settlement, and the learned signatories to the Memorandum of Settlement, and the learned Judge while disposing the petition made observation, which could be usefully referred to.

It is observed that:

"The flight engineers after the negotiations, did write a settlement dated 5-2-1988. Surely the flight engineers are concerned as anybody else regarding the safety measures. If the flight engineers have arrived at a settlement, it would be reasonable to infer that they did not consider the flight proposed by the respondent No. 2 as entailing safety hazard."

The learned judge has also considered the conditions prevailing elsewhere. It is observed:

"It would be reasonable to assume, that the Director General, Civil Aviation had taken into consideration the results of modern scientific investigations into the type of fatigue to which the member of the flight crew are subject to in jet airplanes."

He further observed:

"Having considered all the material on record, I am satisfied that the impugned order does not entail any safety hazard."

36. I therefore, find that there is no force in the contention that an additional Flight Engineer is necessary because of excessive fatigue experienced by the Flight Engineers on duty on long haul flights, and that there was no possibility of safety hazard. In my opinion, the engineers are provided facilities in the form of rest to which I have made reference above. It is to be also noted that the demand of additional engineer is made in respect of flights where an additional pilot is provided. Therefore, it is indicative of the fact that the basis of the demand is not fatigue or safety aspect. At any rate, there is no evidence on that aspect.

37. It has been mentioned in the statement of claim, that the demand for an additional Flight Engineer on non-stop long haul flight was based on the industry practice prevailing world wide. Therefore, industry practice is mentioned in para 19. The Association has filed affidavits of persons to whom I have made reference above. The first affidavit is of Mr. Pankajan. He stated therein that the demand was to bring the practice prevailing in the industry to provide a relief Flight Engineer whenever an additional Commander is provided. He also admitted therein that the demand was made in the settlement reached on 13-3-1990, but, the management did not consider the same, and the management insisted that the longhaul settlement dated 5-2-1988 was valid so far as Flight Engineers were concerned, and that it had no desire to re-open the settlement. He however, does not say anything about the Industry Practice prevailing elsewhere. Some justification of course is, given in support of the demand for an additional Flight Engineer, in his affidavit, but that is not having bearing on Industry Practice.

38. The other witness examined on behalf of the Association is Mr. Tiwari, and he says that he was deputed by Air India to work with Air Mauritius, and he worked for about four months with Air Mauritius on deputation. Thus he says, so far as Air Mauritius is concerned, the flight crew of Boeing 747 was to have 3 members namely, Commander, First Officer and Flight Engineer for flights of shorter durations and to have five crew members 1 Commander, 2 First Officers and 2 Engineers on longer duration flights (Longhaul). He further added that there was no longhaul flight where there was relief pilot, but no relief engineer. He was cross examined on behalf of the management, and he stated that, the field of operation of the two airlines, namely, Air India and Air Mauritius differed, and also with regard to the provision for rest time was concerned. He also stated that the aspect of longhaul flight is based on the number of hours. However, he was unable to describe in terms of hours what were the shorter duration flights so far as Air Mauritius is concerned. He was also unable to say the duration of the Air Mauritius flights, the timings, and the number of hours' rest available. According to him, the number of hours of the longhaul flights varied from one another, depending upon were the shorter duration flights so far as Air Mauritius is various factors, such as, the route, the destination etc.

39. The next witness examined on behalf of the Association is Mr. Krishna Murthy. He has stated in his affidavit, that he was on deputation with the Singapore Airlines for about two years. He also says that the 747 Boeing used to carry 3 crewmembers (Commander, 1st Officer and an Engineer) and five members, such as 2 Commanders, 1 first Officer and 2 Flight Engineers in flights of longer duration (longhaul operations). He added that there was no flight carrying two Commanders, but no additional Engineer. He admitted that the Singapore Airlines operated in different Aircrafts, and different timings, destinations/durations, also differed. He further stated that rest period also differed so far as the

two airlines are concerned. The definition of longer duration flight is given, and he states that it may be upto 9-1/2 hours flight time, and Flight Duty time upto 11-1/2 hours. According to him, it had relation to the flight time, the time of take off, Sector etc. This is the only direct evidence adduced on the point. The evidence of Mr. T. M. Chandran is on the basis of the information collected by him from other Airlines and he admitted in the course of his cross examination that he had no personal knowledge about the flight timings and/or flight duty timings of other airlines operating long haul flights, except on the basis of the documents produced. He further admitted that the three Airlines namely, the British Airways, the Singapore Airlines and the Air Mauritius provided only one Flight Engineer Pan-Am was not operating any long haul flights, and so also the Portuguese Airlines. It is further admitted by him that the crew schedule depended upon various factors, such as flight time, flight duty time, and he was not aware of any other factors nor there were any. He also admitted that the letters were received by him in reply to the questionnaire sent by him. However, he could not make out the flight duty period from that letter. So far as KLM Airlines is concerned, he admitted that an additional Flight Engineer was provided on flight timings exceeding 13 hours. It is also mentioned therein, that a questionnaire was sent soliciting information about provision for an additional Flight Engineer on long haul flights with additional Pilot. He made queries in respect of as many as 11 items, and it is on the basis of this material, that it is contended that there is a standard industrial practice to provide an additional flight engineer on flights exceeding 9 hours and when an additional Pilot is provided in identical circumstances.

40. The letter of British Airways, is in file B-1, at Sl. No. 2. It mentions that the relief crew member may be a Pilot, or a Flight Engineer, qualified to relieve either station in cruise flight. This is in respect of relief provided for flight duty period between Section 10 limits, and Section 10-1/2 hours. I have referred to the document so far as British Airways is concerned. At Sl. No. 6 is a letter from the Australian Airlines Flight Engineers' Association. It is mentioned that in the last para, that the intended course of action currently undertaken, result will soon in one Captain (Commander) two First Officer and Two Flight Engineers." I have also referred to the document given by Mr. Chandran. He has admitted that the Australian Airlines is not operating any flights in India. Another document is at Sl. No. 8, which is a letter from the KLM Flight Engineers' Association. Mr. Chandran has dealt with the position with regard to KLM flights, and it is admitted by him therein that in KLM an additional Flight Engineer is provided when the flight time exceeds 13 hours, and that is what is mentioned in that letter also. Earlier, he had stated that they fly with a relief flight engineer when the flying time exceeded 9 hours, and it is further clarified, that this general rule can be corrected for several reasons, such as, very early or late departures large number of landings and take-offs etc. It is further stated that then they get a corrected duty time, which consists of flying time+penalty at the rate of 15 minutes for each flying hour (approximately) and if this time was in excess of 13 hours, they also have a relief flight engineer, and such corrected duty hours can be upto 16 hours maximum.

41. Therefore, I find that, in view of the above discussion it would not be correct to say that there is an uniform industry practice, as urged by the Association.

42. Letter of the South African Airways Flight Engineers' Association, is at Sl. No. 9. The Crew complement is given at 5 or 6 men crew. The five men crew complement consisted of one Captain, two First Officers, and two Engineers, and the six men Crew consisted of one Captain, 3 First Officers, and 2 Flight Engineers. It is also mentioned therein that the crew complement depended upon the length of the flight and the sector flown. However, the details of long haul flights is not known. It is true that the argument is that there is a provision for a relief engineer on long haul flight. But the concept of long haul flight does not

appear to be clear from that letter. This is only material in which is based an argument that there is an industry practice of providing an additional flight engineer whenever an additional captain/pilot is provided. I find after considering all this material, that it cannot be stated that, such a practice has been established by this material on record.

43. Reliance was placed then upon the report of the committee on flight time limitations conducted by the Civil Aviation Authority of London in June 1973. At point 8.25, it has been mentioned that; longer hours of duty are presently permitted in respect of Flight Engineers and Flight Navigators. It would appear to us from the evidence submitted that no distinction between members of flight crew is justified. I therefore recommend that the same requirement apply to all flight crew. I do not find that this helps the Flight Engineers Association to contend that an additional flight engineer should be provided on long haul flights. Finding on Issue No. 2, is, accordingly recorded.

44. The next point that arises for consideration is, with regard to the demand for full wing on the Uniform, and the justification given is again on the ground of Industry Practice. The same material that has been referred to above, is relied upon to show the existence of industry practice. The management has come out with a case, that the pilots are not to be equated with the flight engineers. The Pilot is the one in command of the flight, and the duties performed by the Engineers and the Pilots are different. However, it is difficult to say that the management maintains the distinction between the two so far as the full wing, and the half wing is concerned. In any event it appears that the dispute raised by the Engineers' Association is based on the grievance that they are equated with other crew members on the flight. It appears that the Association raised a dispute and a settlement was reached on 23-4-1993, after deliberation in conciliation. The settlement provided 3 stripes on their Uniform. One of the contentions relied therefore, is, that there should be no dispute on the point now raised and the association was satisfied with the provision of 3 stripes which distinguished them from rest of the crew members. However, Mr. Singhvi submits that it is not so, and that it was only a short term settlement.

45. I shall therefore, examine the justness of the demand based on industry practice as urged on behalf of the Association. There is a bald statement in the statement of claim. It says, "that full wing on the uniform of the flight crew including the Flight Engineer is a standards industry practice. In all major Airlines the Flight Engineers wear a full wing on his Uniform. Therefore, we demand that the industry practice be followed in Air India as well."

46. In this connection, evidence has been adduced in the form of letters from various Airlines Flight Engineers Association. So far as the oral evidence is concerned, Mr. Pan-kajan, the first witness, did not say anything about the full wing being given to the flight engineers in other airlines. The next witness, Mr. Thiwari, has however stated that while he worked on deputation with Air Mauritius, his uniform had a full wing exactly the same like that worn by the Pilot. The other witness Mr. Krishnamoorthy who was on deputation with Singapore Airlines stated that, like other Pilots, he wore a full wing while working with the Singapore Airlines on deputation. He further stated in the course of his cross examination, that there was no difference between the commander's wings, and his wings. The letters received from other Engineers' Association to whom questionnaires were addressed by Mr. Chandran are referred to and relied upon.

47. The letter from the Hungarian Airlines shows that the engineers were full wings and it was the same as the Pilots. However, the Engineers had only two strips on their arm. The questionnaire addressed to the General Secretary, International Flight Engineers Association, England, soliciting information on this point of the Uniform used by the Flight Engineers in their airlines is on record. However, the reply, if any, received does not appear to be on record. Letter of intimation R.R. Secretary dated 14th October 1993 shows that Flight Engineers as part of Uniforms wear the same full wing and 5 cylinder engine while the pilot wear the same full wing and 3 blade propeller. The

other let it however of the Austrialian Airlines Flight Engineers' Association says that, the insignia worn by the flight engineers was a centre "Boss" bearing the company "Trading insignia" with a half wing extending to the left and it was work above the left breast pocket. It is the same as is worn by the pilots except the wing being single. It is further mentioned that they had one jacket with wing extending from the centre boss with letter 'E', but cos's have resulted in the jacket and the shirt insignia now being the same. The next letter is of K.L.M. and it says that the Engineer wore a full wing as a part of their Uniform. However, it is further stated that there has been a difference between the wings worn by the Pilot in their sizes, the wings of the Engineers are somewhat smaller than that of the Pilots. The African, Airways Engineers Association stated that they were a 3/4 wing as a part of their Uniform, as per the attached drawing. However, the size of the wing is not made clear. The practice of having similar wing on uniform by STA and Air Mauritius is not backed up by any letter but depends only an oral evidence of two members of IFEA. Therefore, I find that there is no uniform practice as alleged adopted by the Airlines in this behalf. It also appears that some distinction is maintained between the wings worn by the commander and the Engineers of the same Airlines, obviously, with a view to distinguish a commander (pilot) and an Engineer. I find that the Indian Flight Engineers' Association and the management reached a settlement on 23-4-1993, which provided for three stripes. With this it appears that the Engineers, are distinguished from the other crew members namely the pursers, Airhostess etc., as cabin crew.

48. The management submitted that the Pilot is in any event superior to the Engineers, and in support produced the Air Corporations Rules 1937, framed under the Air Corporations Act, 1934.

49. Rule 141, deals with the duties of a Pilot in command, and it says clearly, about the supremacy of the Pilot in command, and that he shall have the final authority as to the disposition of the Aircraft while he is in command, and he shall supervise and direct other members of the crew in proper discharge of their duties in the flight operation.

50. The management's contention therefore, is, that in view of the position obtaining, it is not possible to accept the demand of the Association to club the Engineers with the Pilots, and give the full wing on their uniform.

51. Not equating the Flight Engineers with the Pilots is one thing, and may be justified, because it appears that the relevant provision of the Air corporation Rules 1937 also distinguished the Pilots as the one in command of the Aircraft. However, equating the Flight Engineers with rest of the Cabin Crew by giving half wing to both may also be not appropriate and justified. As has been noticed, different Airlines had maintained some distinction between the Pilots and the Flight Engineers, all the same they have been given something short of the Pilots' full wing or had some other distinguishing marks. It is not necessary to refer to the relevant material on this point, as reference has been already made to it above.

52. In my view, giving the Flight Engineers 3/4 wing would be appropriate, and justified. This is being done by the South African Airways also to their Flight Engineers. It is evident that Flight Engineers of Air India have been already given three stripes. That, therefore, will be my finding on Issue No. 5.

53. Finding on Issue No. 5, is, that the Flight Engineers be provided with 3/4 wing in addition to the 3 stripes.

54. Part—I, Award accordingly. The matter now stands posted for hearing on Issue No. 4.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 8 सितम्बर, 1994

का.प्र. 2579.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की लोयाबाद कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1) धनबाद के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार को 7-9-94 को प्राप्त हुआ था।

[संख्या एन-20012/25/88-आई धार (कोल-1)]
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 8th September, 1994

S.O. 2579.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employees in relation to the management of Loyabad Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 7-9-1994.

[No. L-20012/25/88-D.III (A)/IR (C-D)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) AT DHANBAD

PRESENT :

Shri P. K. Sinha, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 58 of 1989

PARTIES :

Employers in relation to the management of Loyabad Colliery of M/s. Bharat Coking Coal Ltd.

AND

Their workmen.

APPEARANCES :

On behalf of the workmen—Shri G. Prasad, Advocate.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 25th August, 1994

AWARD

The Government of India, in the Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/25/88-D.III (A), dated, the 9th May, 1989:

SCHEDULE

"Whether the action of the management of Loyabad Colliery of M/s. Bharat Coking Coal Limited, Post Office Bansjora, District Dhanbad in dismissing Shri Gurnam Singh, Tyndal Zamadar w.e.f. 14-5-1980 is justified? If not, to what relief is workman entitled?"

2. The concerned workman, Shri Gurnam Singh, the then Tyndal Zamadar at the Loyabad Colliery workshop was issued chargesheet dated 29-10-79 to the following effect :—

"It has been reported to the undersigned that on 27-10-79 at about 1 P.M. while you were leaving the Loyabad workshop carrying a bag in your hand. One

Shri Tribeni Pandey night guard who was on duty from 8 A.M. to 4 P.M. suspected some foul play and asked to disclose the contents of the bag, which was in your possession. But you did not agree to disclose the contents of the bag before him at the workshop gate then Shri Pandey forcibly compelled you to get the bag examined and following materials were recovered from your bag.

- (1) Carriat
- (2) some paper
- (3) Jute
- (4) Brass 6 Kg. 300 grams.

In the meantime one Security guard also came to the spot and took you in the Loyabad C.I.S.F. camp custody and sent you to Jogta P.S. with a complain of the theft.

Further when the brass was weighted at Jogta P.S. it was found 6 Kg. 300 Grams.

You are charged under Section 18 of sub-section (1)(a) of the Standing Order of the mines establishment. You are asked to explain in writing within 48 hours of the receipt of this letter that why disciplinary action should not be taken against you. As the charges are of serious nature you will remain suspended pending enquiry."

3. Sum total of the chargesheet is that when on 27-10-79 at about 1.00 P.M. when one bag in his possession was searched out, a brass piece of 6 Kg 300 grms, said to be the management's property, was recovered along with certain other articles mentioned above.

4. All the documents of the domestic enquiry are on the record in original whereas its photo copies, which are also on the record, have been marked exhibits. Ext. M-2 is the explanation of the workman submitted on 15-11-79 in which the workman stated that since the date of incident was a market day, he had purchased some vegetables and other articles from the market which were kept at the gate in an open hand bag. When he was about to leave the workshop, he was charged by one Tribeni Pandey (Security Guard) of stealing materials from the workshop to which he objected and some altercation followed. He was handed over to the CISF who took him to Jogta Police Station and a police case was instituted for which he was kept in custody for some days but afterwards he was released on bail. In his own words, the workman also mentioned in his explanation "it is yet a mystery to me as to whether the articles as mentioned in the chargesheet were actually in the bag and as to wherefrom and how by whom these things might have been put in the bag. The allegation is apparently a fabricated one and I have no knowledge whatsoever in the matter."

5. Obviously, after conclusion of the domestic enquiry, the enquiry officer had found the charge to have been substantiated and the management, after considering the materials on record including the report of the Enquiry Officer, by order dated 13-5-80 (Ext. M-9) dismissed the concerned workman from service with effect from 14-5-80 which has given rise to this dispute.

6. It will appear from the order of reference that the concerned workman himself had raised the dispute and had filed Written Statement in the Tribunal, as well rejoinder. The management also filed its W.S. In its written statement the management has justified its action, giving comment on the written statement of the workman, purawise.

7. The workman in his W.S. has submitted that the charge of theft of a piece of brass scrap worth about Rs. 100 was fabricated. The concerned workman also made comments against the fairness of the domestic enquiry, also submitting that he had requested the Manager not to conduct the enquiry during the pendency of the trial in the criminal case against him.

8. It was also averred that the management had not looked into the past record of the concerned workman. It was also mentioned that in the criminal trial the workman was convicted by the learned judicial Magistrate but in appeal, he was acquitted by the Sessions Court by a judgement dated 17-6-1986. It was also submitted that after his acquittal in the appeal the workman represented on 1-1-19987 but the management did not consider that. A prayer was made to hold the action of the management to be unjustified and to allow the workman full wages and other benefits.

9. In so far as the propriety and the fairness of the domestic enquiry is concerned, the learned predecessor had taken up the same as preliminary issue. This matter was heard and the learned predecessor by an elaborate order dated 24-12-92 held that the domestic enquiry was held fairly and properly.

10. The points for consideration are two-fold, viz., as to whether or not the management by its evidence adduced during the domestic enquiry had been able to prove the charge against the concerned workman and, if so, whether or not the punishment awarded by the management to the workman can be held to be just and proper.

11. In course of domestic enquiry both the sides adduced evidence on their behalf. The allegation, in so far as it relates to the finding of brass material from the bag being carried by the concerned workman, I find that the allegation to this extent stands admitted. No doubt in his explanation to the chargesheet the workman has even denied any knowledge of such a finding stating that it was a mystery to him as to whether the articles mentioned in the charge sheet were actually in his bag but, in his evidence in the domestic enquiry he said that at about 12 Noon that day he had went with the bag to the market and had purchased carrot etc. which bag he kept at the workshop gate and went inside the workshop. When he returned at about 1.30 A.M. he found that a piece of brass was inside his bag. In his evidence he further said that he then showed the bag to Tribeni Pandey asking him as to who had kept the brass inside. While he was talking to Shri Pandey, a security Jawan of CISF came there to whom Shri Pandey told that the workman had stolen the brass. The workman further said that thereafter he had handed over the bag to Shri Pandey which he deposited at the CISF Camp. He was there interrogated about the brass. Thereafter he was taken to the Jogta Police Station.

12. Therefore the allegation that a piece of brass was found in his bag has been admitted by the concerned workman in his evidence though he has sought to explain it away by claiming that it was kept therein by some one else. It is altogether a different matter that this stand taken by the concerned workman in course of domestic enquiry differs from the stand that he took in his explanation to the chargesheet. This contradiction only tends to put the concerned workman in the wrong light as, evidently, he has been changing his defence.

13. Now the question that remains to be decided is as to whether or not the explanation of the workman in his evidence that the brass might have been kept in his bag by someone else is worthy of any credence.

14. In cross-examination the concerned workman had admitted that the key of the godown concerned, at that time, was with him. He also said that he could not tell as to whether the brass which was so found belonged to the workshop (where he was working) or was brought from outside. From the cross-examination it would also appear that the material was known as brass bearing and the workman admitted that the bearing that was found in the bag was half of the full bearing. The workman also admitted that the bag in question was in his possession while he was interrogated at the CISF Camp.

15. The witness of the concerned workman, Shri Rajendra Kumar Sahu, Mechanical Fitter said that on that day he was on duty and had remained in the workshop upto 1.45 hours but he did not know anything about the incident. Thereafter when he came out for taking tea, he came to know that Shri Gurnam Singh had been caught in a theft

case. Then he came to the CISF office and saw that some carrot and a piece of brass were in a bag. He submitted that Gurnam Singh was not there. He further submitted that at about 2 P.M. Gurnam Singh was going to the CISF office when one Jawan called him into the camp. This witness further said the officer there asked Gurnam Singh about the ownership of bag at which Gurnam Singh replied that the same was not his. But this witness in cross-examination admitted that Gurnam Singh was looking after the breaking of the scrap material with his gangmen.

16. No reliance can be placed on the evidence of this witness who had deposed that Gurnam Singh had denied the ownership of the bag, whereas Gurnam Singh himself has admitted possession of that bag.

17. Against this backdrop, now the evidence adduced by the management may be examined.

18. It appears that before the Enquiry Officer, the first person to give his statement was the management's representative Shri A. K. Mukherjee, Executive Engineer who, as it appears from the evidence of the defence witness, was also present at the CSF Camp. He submitted that on that day at about 2.30 P.M. he was called to the camp where he found Gurnam Singh present. One Sub-Inspector reported to him about the theft case and produced the brass which was recovered from the bag of Gurnam Singh. This witness then explained about the use of the brass which, according to him, belonged to the return pulley of 9 Pit main. The workman declined to cross-examine this witness.

19. Then one Ram Lal was examined as management's witness, a Foreman in the Moulding shop. He said that when he returned back for duty at 2 P.M. he had heard that Gurnam Singh had been caught in a theft case. This witness was also not cross-examined.

20. The next witness was Shri Tribeni Pandey, the Night Guard. He said that at about 1 P.M. he saw Gurnam Singh coming along with a bag in his right hand. He caught hold of him and one of his quarry the workman told and he was carrying vegetables. Some scuffle took place and the workman refused to show the bag to him and forcibly came to the gate. One CISF Jawan saw the scuffle and warned Gurnam Singh at which he surrendered his bag. On enquiry the brass was found besides some other articles like carrots, jute and papers. Thereafter this witness has explained as to how the workman was handed over to the Security Inspector of CISF after which this witness went back to his duty. He also had informed the workshop engineer about the incident. He has named Dageshwar Mistry and Mouri Gope as other witnesses of the aforesaid recovery. During cross-examination this witness asserted that he had seen the workman carrying the bag in his hand.

21. The management's witness Shri Janki Mahato, Tyndal, submitted in his evidence that at about 12 Noon the concerned workman asked him to stay in view of some work, while he was going to deposit ticket No. He went with Gurnam Singh to the workshop godown which the proceedee locked and took out one brass and asked him to break the same. This witness complied and kept the broken piece of brass in the godown where Gurnam Singh was standing. This witness then locked up the Godown and handed over the key and went away. He had heard about 2 P.M. that the workman had been caught while taking out the brass. This witness was cross-examined in which he asserted that several times the brass was broken at the workshop and that the key of the godown was always kept with the Tyndal Jamadar. As already stated the workman Gurnam Singh was the Tyndal Jamadar.

22. The next witness was Nabi Mian another Tyndal who also said that on 27-10-79 Shri Gurnam Singh the Tyndal Jamadar had asked him not to submit his ticket No. as some work was to be done. Shri Gurnam Singh took him to the godown and asked for breaking the brass into two pieces which he did and kept the pieces in the godown. He then handed over the key to Shri Gurnam Singh and left for lunch. Later he heard about Gurnam Singh having been

caught with brass. This witness in the cross-examination also stated that they usually took the key from Gurnam Singh and after taking out the materials, used to hand over the key back to him. There is nothing significant in his cross-examination.

23. The next witness was Shri Ramjee Ram a Jawan of CISF who said that he was on guard duty at 1.30 P.M. and he was coming to report his duty from his residence and when he reached the gate of the workshop he saw Sardarji coming with a bag from the workshop gate and then Night Guard who was on duty at that time at the gate asked Sardarji to disclose the contents of the bag. The Night Guard caught hold of the bag in his presence, later on searched, a brass material was found kept therein. Thereafter the matter was reported to the higher officer. In cross-examination from Gurnam Singh this witness asserted that he had seen him at the gate of the workshop. The concerned workman asked him whether it was not a fact that the witness had come at the time the workman was asking Tribeni Pandey as to who had kept the brass in his bag. This witness denied this suggestion. But this suggestion itself suggest that at the time of aforesaid occurrence this witness was present there.

24. Coming back to the cross-examination of the concerned workman, the workman admitted that he engaged Tyndals in breaking scraps. The workman also admitted that on 27-10-79 Nabi Mian and Janki Mahato were the Tyndals who were engaged in work. These two are the persons who are also the witnesses of the management. The workman also admitted that when Nabi Mian and Janki Mahato were breaking the scraps, he was also there. He admitted that those tyndals had broken the CIS Scrap. In cross-examination this witness also asserted that he had not seen the Tyndals breaking brass on that day.

25. Therefore, in his cross-examination the concerned workman also admitted that the aforesaid two Tyndals were engaged in the godown. In cross-examination he also admitted that for taking work during recess period permission of superior officer had to be obtained but sometimes he took the work first and he informed the officer afterwards. He also admitted that on that day he had not taken that permission. By implication it means that he had taken work from those two tyndals during the recess period. The Tyndals in their evidence have also said that they were asked not to deposit their Ticket No. and were taken to work. One Tyndal witness said that after breaking the brass he had gone away for lunch. This suggests that the work was taken from them during the recess hour.

26. I have no doubt that the brass recovered from the bag of the concerned workman was the property of Messrs B.C.C. Ltd. There is no explanation that the concerned workman had brought the brass from outside. There is sufficient evidence to prove that he had brass in his bag while he was coming out of the workshop. Therefore, only other explanation that may be given in defence is that the brass was kept in his bag by someone else. But from the evidence of the management's witnesses it appears that when challenged, he had the bag in his hand and was not willing to open it. His contention that he asked the guard as to who had kept the brass in his bag appears to be a self-serving statement in his defence, which defence he had not taken when at the initial stage he had submitted his explanation to the chargesheet. It is also in the evidence of the management's witness that when the concerned workman was challenged, he was carrying the bag in his hand. If some one else had kept the brass in his bag then any person was supposed to know at once, while lifting the bag, that some heavy metal or material was kept in the bag which was not there. Any such unsuspecting person would immediately raise a cry about it, instead of continuing to carry the bag in his bag.

27. In the last, the learned counsel for the workmen argued that though the workman had prayed for staying the proceedings of the domestic enquiry because of the pendency of the criminal case, that was not lone which had preinduced the workman. He also stressed that the Judicial Court, in appeal, had acquitted the same workman of the similar charge levelled against him.

28. I am unable to accept this line of argument. Though it is desirable that the domestic enquiry should be stayed when a criminal case was pending, particularly when the charge was grave, yet it cannot be said that if the domestic enquiry was not so stayed, it would vitiate on that score alone. For this the decision of the Hon'ble Supreme Court reported in 1964 SCLJ-2-1451 (Between Tata Oil Mills Co. Ltd. and the workmen) may be seen.

29. In another decision reported in 1961-1-LLJ-520=AIR 1960 SC 806 (Between Delhi Cloth and General Mills Ltd. and Kushal Bhan), their Lordships of the Hon'ble Supreme Court had dwelt with a case in which the workman was charge-sheeted on the allegation of theft of cycle for which a criminal case was also pending and for that the workman had refused to participate in the enquiry. The charge was found to be proved in the domestic enquiry and an application u/s. 33(2) of the I. D. Act was made to the Tribunal for approval of action. In the meantime the workman was acquitted by the Criminal Court giving him benefit of doubt which judgement was also placed before the Tribunal. The learned Tribunal refused to approve the order of dismissal. The management, before the Hon'ble Supreme Court, took the stand that it was not bound to await the result of the Criminal trial and could hold a fair enquiry and come to such conclusion as was possible on the evidence before it. Their Lordships, while holding the action of the employers to stay enquiries pending the decision of the Criminal Court to be fair, also held that the principles of natural justice did not require that an employer must wait for the decision of the criminal trial Court before taking action against the employee. It was also observed that if the case was of a grave nature or involved question of facts or law which were not simple, it was advisable to await the decision of the Trial Court so that the defence of the employee in the criminal case was not prejudicial. But in that a case of theft, their Lordships observed that was a case of very simple nature, hence the employer could not be blamed for the course adopted by him. Their Lordships were pleased to allow the appeal.

30. A criminal trial and a domestic enquiry, may be on the same facts and allegation, stand on different footing. It has no where been held, atleast not shown to me, that the result of the domestic enquiry must conform the result of the criminal case. There can be variety of reason for this. The witnesses who might have supported the management's case in the domestic enquiry, might have absented themselves from the criminal trial or would have turned hostile, for a variety of reasons. Moreover a decision on the basis of domestic enquiry can be taken only on the materials that might come on the record in course of the domestic enquiry. If the domestic enquiry was fair and the evidence led by the management proved the charge, then the management would be entitled to punish the delinquent workman. For these reasons, I am unable to accept the argument of the learned counsel for the workman on this score.

31. For the aforesaid reasons, I agree with the finding of the Enquiry Officer that the management had been able to prove its charge by cogent evidence.

32. Coming to the punishment, Shri G. Prasad, the learned lawyer for the workman has argued that even if the charge was found to have been proved, the punishment was disproportionate in view of the fact that it has not been brought on the record that the workman had any such antecedent and also because the material found in his bag was worth only about Rs. 100.

33. It is very difficult to agree with such argument. When once a workman is caught having committed theft of the property of the company then, naturally, any management would lose confidence in his integrity and no management can be asked, in such circumstances, to give another chance to the workman.

34. For these reasons I do not find that the punishment awarded to the concerned workman can be interfered with.

Following, therefore, is the Award :—

"The action of the management of Loyabad Colliery of M/s. Bharat Coking Coal Limited, Post Office Bans-

jora, District Dhanbad in dismissing Shri Gurnam Singh, Tyndel Zamadar w.e.f. 14-5-1980 is justified. Consequently the concerned workman is entitled to no relief."

Under the circumstances, there would be no order as to the costs.

P. K. SINHA, Presiding Officer

नई दिल्ली, 8 सितम्बर, 1994

का.आ. 2580.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स ईस्टर्न कोल-फील्ड्स लिमिटेड के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-9-94 को प्राप्त हुआ था।

[संख्या एल-20012/323/91-आई धार (कोल-1)]
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 8th September, 1994

S.O. 2580.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on 5-9-1994.

[No. L-20012/323/91-IR (Coal-1)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947

Reference No. 124 of 1992

PARTIES :

Employers in relation to the management of M/s. Eastern Coalfields Ltd. in relation to Mundman Colliery.

AND

Their Workmen.

PRESENT :

Shri P. K. Sinha, Presiding Officer.

APPEARANCES :

For the Employers—Shri R. S. Murthy, Advocate.

For the Workmen—Shri K. Chakravorty, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 23rd August, 1994

AWARD

By Order No. L-20012/323/91-IR (Coal-I) dated 18-9-1992, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of M/s. Eastern Coalfields Ltd. Kanasara Area in relation to Their Mundman Colliery in dismissing the services of Shri Chatu Bauri, Coal-cutter is justified? If not, to what relief the workman is entitled?"

2. The order of the reference was received in this Tribunal on 12-10-92. After issuance of notice, the sponsoring Union was represented by Shri K. Chakravorty, Advocate.

3. On verbal prayer of Shri Chakravorty, Advocate for the sponsoring Union, several adjournments were granted to file written statement on behalf of the sponsoring Union.

4. By order dated 20-5-94 a last chance was given to the sponsoring Union to file its written statement with the stipulation that if the sponsoring Union failed to file its written statement by 9-8-94 it would be deemed that the sponsoring Union had no dispute to get adjudicated and a 'no dispute' award would be rendered.

5. On 9-8-94 none appeared on behalf of the sponsoring Union and the written statement was also not filed on its behalf despite order dated 20-5-94.

6. In view of this, and the total apathy of the sponsoring Union, I am constrained to render a 'no dispute' award.

7. Therefore I render a 'no dispute' award.

P. K. SINHA, Presiding Officer

नई दिल्ली, 8 सितम्बर, 1994

क्र.सा. 2581.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, एटोमिक मिनेरल्स डिवीजन के प्रबंधन के संबंध में, नियोजकों और उनके कर्मचारियों के बीच, झुबुआ में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम (नं. 1) धनबाद के पक्षों को प्रभावित करती है, जो केन्द्रीय सरकार को 5-9-94 को प्राप्त हुआ था।

[संख्या एल-29011/33/89-आई आर (विधि)/आई आर (कोल-I)]
श्री. गंगाधरन, डेस्क अधिकारी

New Delhi, the 8th September, 1994

S.O. 2581.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1). Dhanbad as shown to the Annexure in the industrial dispute between the employers in relation to the management of Atomic Minerals Division and their workmen, which was received by the Central Government on 5-9-1994.

[No. L-29011/33/89-IR (Misc.)/TR (C-I)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 DHANBAD

In the matter of reference under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947

Reference No. 271 of 1990

PARTIES :

Employers in relation to the management of Atomic Minerals Division,

AND

Their Workmen.

PRESENT :

Shri P. K. Sinha, Presiding Officer.

APPEARANCES :

For the Employers—Shri S. Paul, Advocate.

For the Workmen—Shri D. K. Verma, Advocate.

STATE : Bihar.

INDUSTRY : Minerals

Dated, the 22nd August, 1994.

AWARD

By Order No. L-29011/33/89-IR (Misc.) dated 4-4-1991 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"The casual workers working under Atomic Minerals Division since 7 to 8 years regularly and have increased their age bar for getting employment for Government jobs will not be regularised in permanent cadre. If not, what benefits they are entitled to?"

2. The reference relates to regularisation of the workmen in permanent cadre after they had rendered 7 to 8 years of regular service and had become over-age for other Government services.

3. Shri S. Paul, Advocate, appearing on behalf of the management submitted that the Government of India in the Ministry of Personnel, P.G. and Pension, had issued a circular No. 5106/2/90-Estt (C) dated 10-9-1993 relating to the grant of temporary status and regularisation of casual workers, a copy of which is on the record alongwith an application of the management, filed on 30-12-93. In that application dated 30-12-93, the management had submitted that it had decided to confer temporary status to the workmen in view of Office Memorandum aforesaid issued by the Government of India. As a matter of fact Sri Paul, had moved the petition dated 30-12-93 on 10-8-94, but Sri D. K. Verma pointed out that from that application it did not appear that the scheme of the Government of India was implemented with regard to all the concerned workmen. At this Sri Paul assured that the scheme has already been implemented and he was ready to give that in writing. Thereafter, Sri Paul submitted his petition on 10-8-94 that the aforesaid scheme was implemented and he also enclosed copy of that decision conveyed to one of the workmen, Bhalu Kiska, as specimen.

4. On this statement of the management in writing that the aforesaid scheme has already been implemented and the letter to that effect has also been issued to all the concerned workmen. Sri Verma submitted that on such submission and assurance the sponsoring Union now has no dispute with the management. In such circumstances, both parties agreed for passing of a 'no dispute' award.

5. Therefore I render a 'no dispute' award in the present case.

P. K. SINHA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1994

क्र.सा. 2582.—यह: सैमर्स जे.पी.टी. लिमिटेड, बी.पी.ओ. चोपल, जिला होशियारपुर, पंजाब (इसके आगे जहाँ कहीं भी उक्त स्थापना शब्द का प्रयोग हो, इसमें अभिप्राय: उक्त स्थापना से है) के कर्मचारी भविष्य निधि और प्रतीकें आबन्ध अधिनियम, 1952 (1952 का 19) इसके आगे उक्त अधिनियम के ताम से निदिष्ट की धारा 17 की उपधारा (1) के खण्ड (क) के अन्तर्गत कट प्राप्त करने के लिए, आवेदन किया है।

यह केन्द्र सरकार की राय में उक्त स्थापना के कर्मचारियों के लिए, तैयार किए गए भविष्य निधि नियमों में अंशदान की दर उक्त अधिनियम की धारा 6 में उल्लिखित कर्मचारी अंशदान की दर से कम नहीं है तथा इसके कर्मचारियों को मिलने वाले भविष्य निधि उक्त अधिनियम तथा कर्मचारी भविष्य निधि स्कीम, 1952 इसके आगे जहाँ कहीं भी स्कीम शब्द का प्रयोग किया गया है (उक्त अभिप्राय: उक्त स्कीम से है) में उल्लिखित लाभों से किसी भी प्रकार से कम नहीं है जो इस वर्ग की स्थापनाओं में कार्यरत कर्मचारियों को उपलब्ध है।

अब इसलिए, उक्त अधिनियम की धारा 17 की उपधारा एक के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और सवर्त अनुसूची

में वर्णित गतों के अधीन केन्द्रीय सरकार इसके द्वारा उक्त स्थापना को उक्त स्कीम के सभी उपबन्धों के लागू होने से छूट प्रदान करती है।

अनुसूची

1. उक्त स्थापना से संबंधित नियोक्ता केन्द्र सरकार के द्वारा समय समय पर दिए गए निदेश के अनुसार उक्त अधिनियम को धारा 17 की उपधारा (3) के खंड (क) में उल्लिखित निरीक्षण के लिए सुविधाएं प्रदान करेगा और ऐसे निरीक्षण प्रभार की श्रदायगी प्रत्येक माह की समाप्ति के 15 दिन के अन्दर करेगा।

2. न-छूट प्राप्त स्थापनाओं के संबंध में उक्त अधिनियम और उसके अधीन स्वीकृत स्कीम के अन्तर्गत वेय अंगदान के दायरे में स्थापना के भविष्य निधि निधियों के अन्तर्गत वेय अंगदान का दर किसी समय भी कम न होगा।

3. वेतनियों के मामले में छूट प्राप्त स्थापना को म्याम कर्मचारी न नियुक्ति के लिए 1952 से बहिष्कृत नहीं होगा।

4. उक्त स्कीम में कोई भी संशोधन जो स्थापना के वर्तमान नियमों से अधिक लाभकारी है उन पर अपने आप लागू किया जाएगा। उक्त स्थापना के भविष्य निधि नियमों में कोई भी संशोधन, क्षेत्रीय भविष्य निधि आयुक्त को पूर्व अनुमति के बिना नहीं किया जाएगा और जहां किसी संशोधन से उक्त स्थापना के कर्मचारियों के हित के प्रतिकूल प्रभावों होने की संभावना है वहां अपनी अनुमति से पूर्व, क्षेत्रीय भविष्य निधि आयुक्त, कर्मचारियों को अपने विचार प्रस्तुत करने का उचित अवसर देगा।

5. यदि स्थापना को छूट न दी जाती तो वे सभी कर्मचारी (जैसे उक्त अधिनियम की धारा 2(च) में निर्दिष्ट किया गया है) जो मध्यम वन के पास होते, मदद बनाए जाएंगे।

6. जहां एक कर्मचारी जो कर्मचारी भविष्य निधि (कानूनी) या किसी अन्य छूट-प्राप्त स्थापना का पहले से सदस्य है, को अपनी स्थापना में काम पर लगाया जाता है तो नियोक्ता उसे निधि का तुल्य सदस्य बनाएगा और ऐसे कर्मचारी के पिछले नियोक्ता के पास भविष्य निधि लेखों में रजिस्ट्रारों को अंतरित करने और उसके लेखों में जमा करने की व्यवस्था करेगा।

7. केन्द्रीय भविष्य निधि आयुक्त के द्वारा अथवा केन्द्रीय सरकार के द्वारा जैसा भी मामला हो, समय समय पर दिए गए निदेशों के अनुसार भविष्य निधि के प्रवर्ध के लिए नियोक्ता न्यासी बोर्ड की स्थापना करेगा।

8. भविष्य निधि, न्यासी बोर्ड में निहित होगा जो अन्य बातों के होते हुए भविष्य निधि में आय के उचित लेखों और भविष्य निधि से श्रदायियों और उनकी अभिरक्षा में शेषों के लिए कर्मचारी भविष्य निधि संगठन के उत्तरदायी होगा।

9 तथा 10. न्यासी बोर्ड कम से कम 3 माह में एक बार बैठक करेगा और केन्द्र सरकार/केन्द्रीय भविष्य निधि आयुक्त या उसके द्वारा अधिकृत किसी अधिकारी द्वारा समय समय पर जारी किए गए मार्ग निदेशों के अनुसार कार्य करेगा/न्यासी बोर्डों द्वारा रखे गए भविष्य निधि लेखों की परीक्षा वार्षिक रूप से योग्य सचिव लेखापाल द्वारा स्वतंत्र रूप से की जाएगी। जहां भी आवश्यक होगा केन्द्रीय भविष्य निधि आयुक्त को अधिकार होगा कि वह किसी अन्य योग्य लेखा परीक्षक से छात्रों को हुजारा लेखा-परीक्षा कराए और ऐसे पुनः लेखा-परीक्षा के स्वर्ण नियोक्ता बहन करेगा।

11. प्रत्येक वर्ष स्थापना के लेखा परीक्षण तुरंत पत्र के साथ लेखा परीक्षित वार्षिक भविष्य निधि लेखों की एक प्रति वित्तीय वर्ष की समाप्ति के छः माह के अन्दर क्षेत्रीय भविष्य निधि आयुक्त को प्रस्तुत की जाएगी। इस प्रयोजन के लिए भविष्य निधि का वित्तीय वर्ष पहली अप्रैल से 31 मार्च तक होगा।

12. नियोक्ता प्रतिमाह भविष्य निधि के वेय अपने कर्मचारियों के अंगदानों को आगामी माह की 15 तारीख तक न्यासी बोर्ड को अंतरित कर देगा। अंगदानों की विलम्ब से श्रदायगी करने के लिए समान परिस्थितियों में नियोक्ता नुकसानी देने का उसी प्रकार उत्तरदायी होगा जिन प्रकार एक न-छूट प्राप्त स्थापना उत्तरदायी होती है।

13. न्यासी बोर्ड सरकार द्वारा समय-समय दिए गए निदेशों के अनुसार निधि में जमा राशियों का निवेश करेगा। प्रतिभूतियों न्यासी बोर्ड के नाम पर प्राप्त की जाएंगी और भारतीय रिजर्व बैंक के जमा नियंत्रण में अनुसूचित बैंक की अभिरक्षा में रखा जाएगा।

14. सरकार के निदेशों के अनुसार निवेश न करने पर न्यासी बोर्ड प्रयोग-अवकाश रूप से और एक लाख केन्द्रीय भविष्य निधि आयुक्त या उसके प्रतिनिधियों द्वारा लगाए गए अधिक प्रभार का उत्तरदायी होगा।

15. न्यासी बोर्ड एक वस्तु-स्वीकृत रजिस्टर तैयार करेगा और व्याज और विमोचन धातु की समय पर बकूली सुनिश्चित करेगा।

16. जमा किए गए अंगदानों, निधाने गए और प्रत्येक कर्मचारी से संबंधित धातु को दिखाने के लिए न्यासी बोर्ड विस्तृत लेख तैयार करेगा।

17. वित्तीय/लेखा वर्ष की समाप्ति के छः माह के अन्दर बोर्ड प्रत्येक कर्मचारी को वार्षिक लेखा विवरण जारी करेगा।

18. बोर्ड प्रत्येक कर्मचारी को वार्षिक लेखा विवरण के स्थान पर पास-बुक जारी कर सकता है। ये पास-बुक कर्मचारियों की अभिरक्षा में रहेंगी और कर्मचारियों के प्रस्तुतीकरण पर बोर्ड के द्वारा इन्हें अमानत किया जाएगा।

19. लेखा वर्ष के पहले दिन आदि शेष पर प्रत्येक कर्मचारी के लेख में व्याज उस दर से जमा किया जाएगा जिसका न्यासी बोर्ड निर्णय करें परन्तु यह उक्त स्कीम के पैरा 60 के अन्तर्गत केन्द्रीय सरकार द्वारा घोषित दर से कम नहीं होगा।

20. यदि न्यासी बोर्ड केन्द्रीय सरकार द्वारा घोषित व्याज की दर इस कारण से कि निवेश पर आय कम है या किसी अन्य कारण से अया करने में असमर्थ है तो इस कमी को नियोक्ता पूरा करेगा।

21. नियोक्ता भविष्य निधि की खोरी के कारण लूट भसूट, अमानत गबन अथवा किसी अन्य कारण से हुई हानि को पूरा करेगा।

22. नियोक्ता और न्यासी बोर्ड, क्षेत्रीय भविष्य निधि आयुक्त ऐसी विवरणियां प्रस्तुत करेगा जो समय-समय पर केन्द्रीय सरकार/केन्द्रीय भविष्य निधि आयुक्त निर्धारित करें।

23. उक्त स्कीम के पैरा 69 की शैली पर किसी कर्मचारी को निधि के सदस्य न रहने पर यदि स्थापना के भविष्य निधि नियमों में नियोक्ताओं के अंगदानों को जमा करने की व्यवस्था है तो न्यासी बोर्ड इस प्रकार जन्म की गई राशियों का अलग से लेखा तैयार करेगा और उसे प्रयोजनों के लिए उपयोग करेगा जो केन्द्रीय भविष्य निधि आयुक्त की पूर्व अनुमति से सुनिश्चित किया गया हो।

24. स्थापना के भ.नि. निधियों में किसी बात के होने हुए भी भेदाभाव होने अथवा किसी अन्य स्थापना में रोजगार लगने के परिणामस्वरूप किसी व्यक्ति के निधि की सदस्यता न रहने पर यदि वह देखने में आता है कि स्थापना के, भ.नि. निधियों के अन्तर्गत अंगदान की दर, अपनी आदि की दर, वार्षिक स्कीम की दरों की तुलना में कम अनुदान है तो उस का अंतर नियोक्ता द्वारा दिया जाएगा।

25. नियोक्ता, भविष्य निधि के प्रशासन से संबंधित सभी खर्च जिनमें लेखों के रखरखाव रिटर्न प्रस्तुत किए जाने, राशियों का अन्तरण शामिल है, वहन करेगा।

26. निम्नोक्त समूहित प्राधिकारी द्वारा अनुमोदित निधि के नियमों की एक प्रति तथा जब भी कोई संशोधन होता है, उसकी मुख्य बातों को कर्मचारियों के बहुमत की भाषा में अनुवाद करके स्थापना के बोर्ड पर लगाएगा।

27. "समूहित सरकार" स्थापना का चालू छूट पर और शत लगा सकती है।

28. यदि उक्त अधिनियम के अन्तर्गत स्थापना बर्ग जिसमें उसकी स्थापना आती है, पर अंशदान की दर बढ़ाई जाती है, नियमना भविष्य निधि अंशदान की दर उचित रूप से बढ़ाएगा, ताकि उक्त अधिनियम के अन्तर्गत दिए जाने वाले लाभों से स्थापना का स्कीम के अन्तर्गत दिए जाने वाले भविष्य निधि के लाभ किसी भी प्रकार से कम न हो।

29. उक्त शर्तों में से किसी एक से उल्लंघन पर, छूट रद्द की जा सकती है।

[स. एम-35015/4/93-एम. एन.-II]

जे. पा. गुप्ता, अव्वर सचिव

New Delhi, the 9th September, 1994

S.O. 2582.—Whereas Messrs J.C.T. Ltd, VPO-Chohal, Dist. Hoshiarpur (Punjab) (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act)

And whereas in the opinion of the Central Government the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employee in any other establishment of similar character.

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall provide for such facilities for inspection and pay such inspection charges as the Central Government may from time to time direct under clause (a) of sub-section (3) of Section 17 of the said Act within 15 days from the close of every month.

2. The rate of contribution payable under the provident fund rules of the establishment shall at no time be lower than those payable under the said Act in respect of the un-exempted establishments and the said Scheme framed thereunder.

3. In the matter of advances, the scheme of the exempted establishment shall not be less favourable than the Employees Provident Fund Scheme, 1952.

4. Any amendment to the said Scheme which is more beneficial to the employees than the existing rules of the establishment shall be made applicable to the automatically. The employer shall not however make any other amendment in its P.F. rules without the approval of Regional Provident Fund Commissioner. The Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their points of view.

5. All employees (as defined in section 2(f) of the said Act) who would have been eligible to become members of

the Provident Fund had the establishment not been granted exemption shall be enrolled as members.

6. Where an employee who is already a members of the Employees' Provident Fund (Statutory) or a provident fund of any other exempted establishment is employed in his establishment, the employer shall immediately enroll him as a member of the fund and arrange to have the accumulations in the provident fund account of such employee with his previous employer transferred and credited to his account.

7. The employer shall establish a Board of Trustees for the management of the provident fund according to such directions as may be given by the Central Provident Fund Commissioner or by the Central Government, as the case may be, from time to time.

8. The provident fund shall vest in the Board of Trustees who will be responsible for and accountable to the Employees Provident Fund Organisation inter-alia for proper accounts of the receipts into and payments from the provident fund and the balances in their custody.

9. The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the Central Government/Central Provident Fund Commissioner or and officer authorised by him.

10. The accounts of the Provident Fund maintained by the Board of Trustees shall be subject to audit by a qualified independent Chartered Accountant annually. Where considered necessarily, the Central Provident Fund Commissioner shall have the right to have the accounts re-audited by any other qualified auditor and the expenses so incurred shall be borne by the employer.

11. A copy to the audited annual provident fund accounts together with the audited balance sheet of the establishment for each accounting year shall be submitted to the Regional Provident Fund Commissioner within six months after the close of the financial year. For this purpose the financial year of the provident fund shall be from the 1st of April to the 31st of March.

12. The employer shall transfer to the Board of Trustees the contributions payable to the Provident Fund by himself and employers by the 15th of each month following the month for which the contributions are payable. The employer shall be liable to pay simple interest for any delay in payment of the establishment is liable in similar circumstances.

13. The Board of Trustees shall invest the monies in the fund as per directions that may be given by the Government from time to time. The securities shall be obtained in the name of the Board of Trustees and shall be kept in the custody of a scheduled Bank under the Credit Control of the Reserve Bank of India.

14. Failure to make investments as per directions of the Government shall make the Board of Trustees severally and jointly liable to surcharge as may be imposed by the Central Provident Fund Commissioner or his representative.

15. The Board of Trustees shall maintain a scriptwise register and ensure timely realisation of interest.

16. The Board of Trustees shall maintain detailed accounts to show the contributions credited, withdrawal and interest in respect of each employee.

17. The Board shall issue an annual statement of accounts to every employee within six months of the close of financial accounting year.

18. The Board may, instead of the annual statement of accounts, issue pass books to every employees. Those pass book shall remain in the custody of the employees and will be brought upto date by the Board on presentation by the employees.

19. The accounts of each employee shall be credited with interest calculated on the opening balance as on the 1st day of the accounting year at such rate as may be decided by the Board of Trustees but shall not be lower than the

rate declared by the Central Government under para 60 of the said Scheme.

20. If the Board of Trustees are unable to pay interest at the rate declared by the Central Government for the reason that the return on investment is less or for any other reason than the deficiency shall be made good by the employer.

21. The employer shall also make good any other loss that may cause to the Provident Fund due to theft, burglary, defalcation, misappropriation or any other reason.

22. The employer as well as the Board of Trustees shall submit such returns to the Regional Provident Fund Commissioner as the Central Government/Central Provident Fund Commissioner may prescribe from time to time.

23. If the Provident Fund rules of the establishment provide for forfeiture of the employee's contribution in cases where an employee ceases to be a member of the fund on the lines of para 69 of the said Scheme, the Board of Trustees shall maintain a separate account of the amount so forfeited prior on 1-1-1990 utilised by the B.O.T. for such purposes as may be determined with the prior approval of the Central Provident Fund Commissioner.

24. Notwithstanding anything contained in the Provident Fund Rules of the establishment, if on the cessation of any individual from the membership of the fund consequent on retiring from service or on taking up the employment in some other establishment, it is found that the rate or contribution rate of forfeiture etc., under the P.F. Rules of the establishment are less favourable as compared to those under the statutory Scheme, the difference shall be borne by the employer.

25. The employer shall bear all the expenses of the administration of the provident fund including the maintenance of accounts, submission of returns, transfer of accumulations.

26. The employer shall display on the notice board of the establishment, a copy of the rules of the fund as approved by the appropriate authority and as and when amended there to along with a translation of the salient points thereof in the language of the majority of the employees.

27. The appropriate Government may lay down any further conditions for continued exemption of the establishment.

28. The employee shall enhance the rate of provident fund contributions appropriately if the rate of provident fund contribution is enhanced under the said Act so that the benefits under the Provident Fund Scheme of the establishment shall not become less favourable than the benefits provided under the said Act.

29. The exemption is liable to be cancelled for violation of any of the above conditions.

[No. S-35015/4-93-SS. II]

J. P. SHUKLA, Under Secy

नई दिल्ली, 9 सितम्बर, 1994

वा.या. 2583—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूची में केन्द्रीय सरकार म/वि एम.साल्गांकार एंड ब्रॉस लिमिटेड, मासकोडागामा के प्रबंधन के संबंध में निम्नलिखित और उनके प्रबंधकों के बीच, अनुसूची में निम्नलिखित औद्योगिक विवाद केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, मासको के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-09-94 को प्राप्त हुआ था।

[संख्या एल-29024/5/91-आई आर (विवाद)]

की एम. वेजिट हेन्स अधिकारी

New Delhi, the 9th September, 1994

S.O. 2583.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, 4th Floor City Ice Bldg., 298, Perin Nariman Street, Bombay-400001 as shown in the Annexure. in the industrial dispute between the employers in relation to the management of M/s. V. M. Salgaonkar and Bros. Ltd., Vasco-da-Gama and their workmen, which was received by the Central Government on 9-9-94.

[No. L-29024/5/91-IR(Misc)]
D. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Present :

Shri Justice R. G. Sindhakar, Presiding Officer.

REFERENCE NO. CGIT-44 OF 1991

Parties :

Employers in relation to the management of M/s. V. M. Salgaonkar and Bros. Ltd., Vasco-da-Gama.

AND

Their workmen

Appearances :

For the Management : Shri Bandodkar, Advocate.

For the Workman : Shri Pawar, Advocate.

INDUSTRY : Mining

STATE : Goa

Bombay, dated the 26th day of August, 1994

AWARD

Government of India, Ministry of Labour has by letter dated 9-5-1991, made under Section 10(1)(d) read with 2A of the Industrial Disputes Act, 1947, following reference for adjudication.

"Whether action of management of M/s. V. M. Salgaonkar and Bros. Ltd., Vasco in retrenching services of Shri Pandurang B. Usgaonkar, Asstt. Foreman (Mech) and Shri Sadashiv Vithoba Gaonkar, Junior Clerk of Sigao Iron Ore Mine with effect from 15-2-1990 are justified? If not, to what relief the workmen are entitled?"

2. Statement of claim has been filed on behalf of the workmen and written statement has been filed on behalf of the management. There is no dispute on the point that these two workmen were working on the establishment of M/s. V.M. Salgaonkar & Bros. Pvt. Ltd., Vasco-da-Gama and also no dispute on the point that the services of these two workmen were terminated by the management with effect from 15-2-90. The facts leading to the dispute should be briefly stated as follows. In the year 1989 the employer decided to close down Sigao Mines, where the present workmen were working on the ground that the mines have become economically unviable. Closure notice was issued on 26-6-1989, stating that the mines would be closed with effect from 30-11-1989 to all workers. Pursuant to the said closure notice the employer issued retrenchment letters to all workers. The Union named Goa Mining Labour Welfare Union aggrieved by this decision gave a call for a one day strike. Even before 29-6-1989 the workers had strongly protested against the decision of the employer for going ahead with mass retrenchment, so state the workmen in their statement of claim. Union approached the Regional Labour Commissioner by letter dated 1-7-1989, also addressed a communication to the employer demanding that closure of the Sigao Mines should be lifted and the retrenchment notices should be withdrawn. Another letter dated 21-7-1989 was also addressed.

3. Management retraced its steps and agreed to continue all workmen in their employment with full wages and service conditions. Though they reported for work daily and employer paid them full wages for three months. The employer

informed that thereafter, they should stay at home and full wages will be sent by post. Accordingly from September 1989, payment of monthly salary to the workmen was made by post. On 28-8-1989, this arrangement was informed by the employer to the Union. Thereafter, the employer put forward a proposal of Voluntary Retirement Scheme. They were offered 80 days wages for every year of service as compensation. All except these two workmen involved in the reference accepted the scheme.

4. By letter dated 15-2-1990 both of them informed that their services were terminated. Alongwith the letter legal dues were also sent by cheque to the two workmen who have not encashed till date.

5. The grievance is that seniority list was not prepared at the time of termination of services of all the workers in all the establishments and procedure as required under Section 25F of the Industrial Disputes Act was not followed. The last come, first go principle has not have been followed and there has been non-compliance of the provisions of Section 25F and 25H of the Industrial Disputes Act also.

6. The dispute was raised for the termination and thereafter, since the management was not willing to withdraw the notices as well as to absorb them in the services of the Company, the dispute has been referred to the Asstt. Labour Commissioner and after receiving a failure report Government of India has made present reference.

7. The management has stated that the Sigao Mine undertaking is permanently closed and therefore, there can be no industrial dispute surviving. It is further stated that at the behest of the union almost all the workers have accepted Voluntary Retirement Scheme and therefore, also the dispute does not survive. It is then contended that the closure is legal, bona-fide and due to the circumstances beyond the control of the Company.

8. On merits it has been submitted that the legal dues of the entire staff of 47 workers alongwith the terminal benefits arising out of the closure and consequent termination of their services were sent to the respective addresses by letter dated 26-6-1989, when decision was taken to permanently close down Sigao Mine Undertaking. It is also stated that the union approached the management to withdraw the closure and requested for re-starting the same. Discussions were held and ultimately both parties namely management and the union decided that the workers should accept Voluntary Retirement Scheme. Therefore, settlement was reached. 45 out of 47 workers accepted the scheme and the reasons for the two workmen in the reference for not accepting the scheme are not known. It is then contended that the question of closure of the undertaking cannot be re-opened and if there be any demand of monetary claim, it could be claimed only under Section 33(2)(2) of the Industrial Disputes Act and not under Section 10(1)(d) of the Act. It is then submitted that it was not possible to absorb them anywhere and therefore, prayer for rejecting the reference is made.

9. Rejoinder has been filed by the workmen on 2-4-1992 reiterating their contentions made earlier in the statement of claim.

10. The point that arises for consideration is whether the two aggrieved workmen have been unjustifiably retrenched and if so what relief they are entitled to.

11. Parties have produced documentary evidence and also filed affidavits in support. I heard the learned counsel appearing on either side.

12. As stated earlier there is no dispute on the point that they were employees. It is also an admitted position that on 26-6-1989, closure notice was issued and the management circulated it to the employees. It appears that thereafter the union took up the matter with the management and the management continued to pay these workers wages though they were not provided with any work and it is the management's case that it was not available and Mines having been already closed it had become economically unviable. This undertaking could not be continued inspite of the efforts of management because ore deposits had substantially depleted, the rejection to ratio had gone high and it was perennially waterlogged making mining operations uneconomical. The management had sent legal dues, to these two workmen as it did to the

other workmen along with letter dated 2-6-1989, copies of which are on record. It is contended by the management that during the negotiations that followed the union agreed to the suggestions of accepting Voluntary Retirement Scheme. 45 of the 47 workmen accepted it and it is only these two workmen who did not accept the said scheme. It is true that the memorandum of settlement is not signed by anyone for or on behalf of the union. It purports to have signatures of Mr. Anthony Pereira, Mr. Sadanand Naik and Jerry Mascarenhas, "representatives of the workmen." Therefore, it cannot be that it was a settlement between the union and the management pursuant to which Voluntary Retirement Scheme was offered and accepted by the union. Therefore, though it speaks of a settlement it is evident that it will not be binding on the two workmen about whom this reference has been made.

13. It will have therefore to be seen whether the two workmen had in fact been retrenched and which retrenchment is unjustified. In this case provisions of Section 25K, Chapter VB are not shown to be applicable, inasmuch as there is no evidence to show that the industrial establishments had not less than 100 workmen employed on an average per working day for the preceding 12 months. The case is that the total number of workers employed is 47. Industrial establishment will not be therefore, covered by that Chapter. In that event Section 25FFA will come into operation. An employer who intended to close down an undertaking has to give at least 60 days' notice before the date on which the intended closure is to become effective, a notice in the prescribed manner on the appropriate Government stating clearly the reasons for the intended closure of the undertaking. This section applies to an undertaking in which less than 50 workmen are employed or less than 50 workmen were employed on an average per working day in the preceding 12 months. Compensation is payable under Section 25FFF, the workmen is entitled to notice and compensation in accordance with the provisions of Section 25F of the Act. Here what is contemplated by Section 25FFF is payment of compensation in accordance with the provisions of Section 25F. However, these are not conditions precedent to taking action of closure of an undertaking. Therefore, non-compliance with the same would not render the retrenchment void-ab-initio and inoperative. It is needless to say that closing down the establishment is the right of the management and the management cannot be compelled to continue an undertaking which has become unviable. There is a remedy for the workmen who have not been paid compensation. The provisions of Section 25FFF would surely not justify reinstatement much less in an undertaking that has already been closed down. It is argued that at the most he can claim that amount by resort to provisions of Section 33(C)(2) of the Industrial Disputes Act. At any rate it is not shown that the workmen are entitled to any relief in this proceeding which relief is dependent upon the affirmative finding on the first part of reference.

14. It is contended on behalf of the workmen that the provisions of Section 25-N and 25-E have not been complied with. Section 25N is, in my opinion, not attracted because it is in Chapter VB which is not applicable. So far as Section 25G is concerned it may be mentioned that all the employees in that establishment were retrenched and therefore, the rule of last come first to go could hardly be invoked.

Award accordingly.

R. G. SINDHIKAR, Presiding Officer.

नई दिल्ली, 9 सितम्बर, 1991

वा.आ. 2594- औद्योगिक विवाद प्राधिनियम, 1947 (1947 का 14) की धारा 17 के चतुर्दश में केन्द्रीय सरकार (नेशनल डायमण्डर, केराळा केराळाईन लिमिटेड) वा.आ. कुन्हासा, जिला कन्नूर के प्रबंधक के सम्बन्ध निराकरण और उनके कर्मचारों बीच, अनुवध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक प्राधिकरण, कन्नूर के पंचपट को प्रकाशन करने है औद्योगिक सरकार को 09-09-94 को प्रत्येक हुआ था।

[नकासा एन-29012/55/02-आई आर (मिसनरियस)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 9th September, 1994

S.O. 2584.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kollam as shown in the Annexure, in the industrial dispute between the employers in relation to the Managing Director, Kerala Ceramics Ltd., P.O. Rndara, Dist. Kollam, and their workmen, which was received by the Central Government on 09-09-94

[No. I-29012/55/92-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL KOLLAM

(dated, this the 26th day of August, 1994)

PRESENT :

Sri C. N. Sasidharan, Industrial Tribunal

IN

Industrial Dispute No. 24/93

BETWEEN

The Managing Director, Kerala Ceramics Ltd., Kundara
P.O., Quilon District-691 001.

(By Shri V. Sugathan, Advocate, Kollam)

AND

The General Secretary, Kerala Tiles & Ceramic workers
Congress, Kundara P.O., Kollam District-691 001.

(By Shri T. Prasad, Advocate, Kollam)

AWARD

This industrial dispute has been referred for adjudication to this Tribunal by the Government of India as per order No. L-29012/55/92-IR(Misc.) dated 3-8-1993.

The issue for adjudication is the following :

"Whether the action on the part of the management of Kerala Ceramics Ltd. Kundara in imposing the punishment of withholding of three increments on Sri. L. Purushothaman is legal and justifiable? If not, to what relief the workman is entitled?"

2. The general secretary of the union representing the workman in this case, Sri. L. Purushothaman, has filed detailed claim statement and the contentions are briefly as below:

The workman was working as security guard in the porcelain division of the management company. While so he was suspended from service with effect from 9-5-1989 to 1-12-1990 on fabricated charge for harassing him. He was served with a memo of charges on 8-5-1989 alleging two charges such as preventing 2 officers of the management from entering in the factory premises on 7-8-1989 at 10.45 PM and he refused to open gate saying that he has no information regarding inspection by any officers. The workman replied to the charge memo denying the allegations. But the management ordered a domestic enquiry. He was suspended from service before calling him to give explanation. The workman participated in the enquiry which was conducted illegally and against principles of natural justice. The workman was not given opportunity to defend his case and he was not served with any documents produced by the management. He was not given opportunity to cross examine the management witnesses. Some material witness were not permitted by the enquiry officer to be examined by the workman. The report of the enquiry officer is perverse and is not based on legal evidence. The enquiry officer found the workman guilty of second charge only. He was directed to report for duty on 1-12-1990 and he was never informed the faith of the enquiry and in the reinstatement order dated 20-11-1990 nothing was mentioned about the punishment. But his annual increment in the month of May was held up for the cumulative years 1989-90, 1990-91, 1991-92 and also 1993. The barring of increment was never communicated to the workman. The proceedings of the Managing Director in this regard was served on the workman on 5-6-1992. The action of the management is illegal. Now the enquiry officer found the workman guilty of

second charge only. The proceedings of the Managing Director shows that he was guilty of all the charges. The Managing Director overlooked the findings of the enquiry officer had imposed the present punishment for all the charges. The punishment is clear violation of all labour laws. The prayer is for quashing the proceedings of management and for allowing the annual increments.

3. The case of the management in the written statement is briefly as below : The workman was served memo of charge dated 8-5-1989 and his explanation dated 10-5-1989 was not satisfactory. Hence the management decided to conduct a domestic enquiry regarding the two charges levelled against him. The enquiry started on 24-5-1989 and continued till 14-6-1989 and it was conducted observing all principles of natural justice, fair play and good conscience. The workman was given reasonable and fair opportunity at every stage of the enquiry. All the management witnesses were cross examined by the worker and the copies of records of the management was served to the workman. The findings of the enquiry officer are not perverse but strictly adhered to and based on legal evidence and proven facts. The charges proved against the workman were clear violations of Sec. 17(3) (h) and 17(3)(a) of the standing orders of the company. The charges were very serious and hence the management barred 3 increments of the workman as per the provisions of the standing orders. The management has complied all formalities before imposing the punishment. The management has not overlooked the findings of the enquiry officer but was only evaluating his findings in the light of the standing orders. The punishment imposed is in strict proportion to the guilty proved against the workman. According to the management the action taken by it is legal and justified and the workman is not entitled to any relief.

4. This is a case where the management has imposed punishment after accepting the findings of the enquiry officer who conducted a domestic enquiry into two charges levelled against the workman. The validity of the domestic enquiry was seriously challenged by the union. Accordingly both sides adduced evidence.

5. The enquiry officer was examined as MW1. Two more witnesses were also examined as MW-2 and MW-3 on the side of the management. Exts. M1 to M5 have also marked on their side. The workman examined himself as DW1 and Exts. W-1 and W-2 have been marked on his side.

6. The validity of the domestic enquiry is under serious attack. According to the learned counsel for the workman the delinquent was not served with enquiry notice properly and in time. The enquiry officer as MW1 has deposed that the delinquent was present on 24-5-1989 when the enquiry was first posted and on 25-5-1989 he had given his witness schedule. There is nothing in the enquiry file Ext. M3, to show that the delinquent made any objection for the conduct of the enquiry. On 24-5-1989 on the ground that he was not served with notice properly and in time. Without any such objection he has participated in the enquiry. It is true that he was under suspension and he belongs to Trivandrum. But the appearance of the delinquent before the enquiry officer on 25-4-1989 and participation show that he had no complaint regarding non service of enquiry notice. Further it is not established that any prejudice has been caused to him for non service of notice as alleged now. It is also noticeable that the examination of witnesses was not started on that day. Therefore he present contention can only be considered as an after thought and is only to be rejected. In view of the above the decisions relied on by the learned counsel for the delinquent reported in 1962 II LLJ 482 and 1963 II LLJ 396 have no application here particularly on the ground that the facts involved in those decisions and the facts in the case before me are quite distinguishable. There is yet another contention that the management was served with enquiry notice well in advance. It is true that as per page 48 of Ext. M3 file, notice was served to the Personnel Officer of the management on 19-5-1989. But the enquiry officer as per that notice has requested the personnel officer to produce the concerned file and also to depute a person to note down the proceedings of the enquiry. In this notice there is no mention of the

posting of enquiry and commencement of the enquiry. So the argument that the management was served with notice regarding the enquiry on 19-5-1989 is without force.

7. The second point of attack is that the proceedings in Ext. M-3 file were recorded by a stranger which is not permissible under law. There is no mention of the name of that person in the enquiry proceedings or in Ext. M-2 enquiry report. Admittedly the enquiry proceedings were not recorded by the enquiry officer. The delinquent has a contention that this scribe had not taken down all the statements made by him and he had put down only what is useful by the management. Of course there is nothing in the enquiry file that the delinquent opposed to the recordings of the enquiry proceedings by another person. But the enquiry officer cannot delegate the recording of evidence to other persons as held by the High Court of Calcutta in *Amulya Kumar V. L. M. Bakshi* (AIR 58 Calcutta 470). In the light of this decision the argument of the learned counsel for the delinquent is well founded.

8. The third point of attack is regarding non supply of witness schedule. According to the learned counsel the enquiry officer did not supply the list of management witness to the delinquent. As per Ext. M-3 enquiry file the management representative submitted a witness schedule to the enquiry officer on 26-5-1989 but there is no evidence to show that copy of that list was served to the delinquent before the commencement of the enquiry or at the time of cross examination of witnesses in the enquiry. Because of the non supply of schedule of witnesses to the delinquent. The delinquent was put to difficult in preparing his defence and to cross examine the management witness effectively. Because of that prejudice was definitely caused to the delinquent. The action of the enquiry officer is violative of the principles of natural justice and the enquiry is vitiated on the ground.

9. The fourth point of attack is that the management did not examine some of the important witnesses like the Jeep driver who is a material witness in this case. The management has included the Jeep driver in their witness schedule but he was not examine in the enquiry. This according to the learned counsel is fatal as that witness was available on the date of the enquiry and the delinquent requested for his examination. There is no evidence in Ext. M-3 file to show that the delinquent requested to the enquiry officer or management for examination of the Jeep driver. Further it is for the management to decide who are the witnesses to be examined on their side. It is specific to note that the workman never requested to call for the Jeep driver in the enquiry and that though the delinquent included Sri Sahadevan who was also on duty as security guard on the date of the incident viz. 7-5-1989, was not examined on his side. In this circumstance the non examination of the Jeep driver from the side of the management cannot be stated as fatal.

10. The fifth point of attack is that the management failed to produce all the documentary evidence like the order of the Managing Director regarding night checking the movement register etc. in the enquiry. The management has produced only the charge sheet and the reply submitted by the delinquent to the charge sheet. It may be recalled that the charges levelled against the delinquent is that he disobeyed the orders of the superiors and did not permit the officers of the management to enter in the premises of the company for night checking. So the documents mentioned above are natural evidence to find out the charges levelled against the delinquent. But the management did not produce such documents without any explanation what so ever. According to the workman here was no order of the Managing Director regarding night checking. So the order of the Managing Director is the basis of the charge levelled against the workman. That was not made available in the enquiry. The enquiry officer without this material documents concluded his findings purely on the basis of oral evidence of witnesses. The complaint of the officers of the company and the movement register are also very much relevant considering the charges and the case of the delinquent. The charges and the whole case of the management are built up on the basis of the above documents. The non production of such material documents without any explanation what so ever definitely vitiate the entire proceed-

ings. The above view is supported by a decision of the High Court of Patna in *Kauhaya Mishra V. Union of India* (1992 1 LLN 1002). In that case the delinquent claimed certain documents to enable him effectively cross examine but the documents were not supplied. The court therefore held that the enquiry is vitiated and not in accordance with the conduct and discipline rules of the management company. The Supreme Court also had occasion to consider this question in *Kasinath Dikshata V. Union of India* (AIR 86 SC 2118) and held the refusal to supply copies and report, complaints etc. is violative of the principles of natural justice. The High Court of Kerala in *Krishnan Nair V. Divisional Superintendent, Southern Railway* (1972 11 LLJ 288) also taken the very same view.

11. The sixth point of attack is that the management instead of leading evidence first, the workman was forced to give evidence. This is a case where the workman was charge sheeted by the management and it is for the management to lead evidence first by producing records and witnesses. In this case the delinquent was forced to give evidence before the management starting their evidence. The workman was first examined and that too by way of cross examination without giving the chance to state what he has to say. On the other hand the management witnesses were examined giving ample chance to give evidence in statement form first and then only they were permitted to be cross examined by the delinquent. Because of the procedure adopted by the enquiry officer the workman could not give a detailed statement of his case before he was cross examined by the management representative. This procedure is illegal and violative of the principles of natural justice. There is no evidence in Ext. M-3 enquiry file that the worker have been told the nature of the case against him before he was asked to give evidence and that too by way of cross examination. This vitiates the enquiry. The law laid down by the Supreme Court and other High Courts also support the contention of the learned counsel for the delinquent in this regard. In the case between *Associated Cement Company Ltd. V. their workmen* (1963 11 LLJ 396) it is held thus :

"in a domestic enquiry the employer should take steps first to lead evidence against the workmen charged and give an opposite unity to the workmen cross-examine the said evidence and then should the workmen be asked whether he wants to give any explanation about the evidence led against him."

The court has further held that the elaborate cross examination of the delinquent before the employer had his evidence is a violation of the rules of natural justice. In view of the above, the enquiry is totally defective and it is now well settled that the defective enquiry is no enquiry at all.

12. The management tried to defend the enquiry officer regarding the proceedings adopted by him as stated above. Reliance was placed on Ext. M-3. It is a representation letter dated 15-6-1989 admittedly given to the enquiry officer by the delinquent. It is stated in this letter that the enquiry was conducted as per the rules of the company and delinquent was given every opportunity to conduct his defence that it is evident and proved that he has not prevented any of his superior officer in performing his duty. The explanation of the delinquent is that such a letter was submitted as the enquiry officer assured him that the enquiry officer will recommend the management to exonerate the workman from the charges. In view of my above finding that the procedure adopted by the enquiry officer vitiated the enquiry Ext. M-3-D cannot be said as a material document. Hence I am not considering the circumstances under which Ext. M-3-D was submitted and also regarding validity of such a document.

13. The next question to be considered is whether the findings of the enquiry officer is perverse, biased or prejudicial. At the outset I may state that there is no allegation in the claim statement that the management of the enquiry officer was biased or prejudicial. Allegation of bias and prejudice are to be alleged specifically and in detail. But there is no such allegation either in the explanation of the delinquent to the charge memo or in the claim statement regarding bias or prejudice. However I shall

consider as to whether the findings of the enquiry officer is perverse and is based on legal evidence since there is such a contention in the claim statement. As I have stated earlier material and necessary documents were not produced in the enquiry. The enquiry officer arrived at his findings without referring such material documents. The charges and the case of management are based on such material documents which were not made available in the enquiry. So it cannot be held that the findings of the enquiry officer is based on legal evidence. It is interesting to note that the enquiry officer found only the second charge proved. He has found that the first charge viz. disobedience of the instructions of superiors is not proved. The two charges are interconnected. So when one charge is not proved the enquiry officer cannot come to a conclusion that another charge is proved. Both the acts as per the charges are inter dependent. The enquiry officer has not analysed the entire evidence and there is no discussion of supporting evidence. So the findings of the enquiry officer without referring the material documents and without properly analysing the evidence of the witnesses is a finding without any legal evidence. In this state of affairs the findings of the enquiry officer are perverse and not supported by legal evidence.

14. In view of the above discussion, I hold that the enquiry was conducted not in compliance with principles of natural justice, the findings of the enquiry officer are perverse and the enquiry is vitiated and liable to be quashed.

15. The learned counsel for the workman has a contention that there are several irregularities with reference to the punishment imposed on the employee. According to the learned counsel the workman was not given opportunity before imposing punishment and he was not given any order regarding punishment before 5-6-1992 though Ext. W-1 order of the Managing Director was said to have been issued on 22-6-1991. Since I have found that the enquiry is vitiated, the punishment based on such enquiry report also goes. The present contentions advanced by the learned counsel are not relevant at all now because the whole matter is now at large and this Tribunal is going to decide the correctness or otherwise of the punishment order without reference to the past procedure as the management has adduced fresh evidence also before this Tribunal to establish the charges.

16. As stated earlier there are two charges against the delinquent such as :

- (1) He prevented S/s. Rajasekharan Nair and Stanly Rebellow, two officers of the company from entering into the factory premises on 7-5-1989 at 10.45 PM and
- (2) He refused to open the gate saying that he has no information regarding night inspection by officers.

Ext. M-3-B is copy of charge sheet dated 8-5-1989 issued to the workman. Ext. M-3-C is the explanation dated 10-5-1989 submitted by the workman to the chargesheet. In Ext. M-3-C or in the claim statement filed before this Tribunal there is no allegation of bias, vindictiveness or mala fides against the management or any officials of management. The whole matter has therefore to be considered with this background.

17. The management has examined aforementioned two officials as MWs-2 and 3. MW-2 is manager (Engineer) and MW-3 is manager (Workers). MWs-2 and 3 have deposed before this court categorically that as per the order of the Managing Director, Ext. M-4 dated 19-4-1989, they went to the factory gate for night inspection on 7-5-1989 at 10.45 AM that the delinquent did not permit them to go inside the factory that they could not discharge their duty that they have submitted Ext. M-3-A report regarding the incident that there is no practice of punching card and writing in the Movement Register by officers of the company, including them regarding their entry into the factory and outside the factory that no prior notice was given regarding night inspection to the security guards as the purpose of the night inspection would be defeated that they have conducted night inspection during the duty time of other security guards and

there was no problem for conducting the inspection and that the security officer of the company has given instruction to the head guard and other guards regarding night inspection. The main point urged by the learned counsel for the delinquent during the cross examination of MWs-2 and 3 is that the delinquent had no information regarding night inspection and he had only informed the officers to make entries in the register and to go inside. But MWs-2 and 3 have categorically said that there is no practice of making entries by the officers. Nothing has been brought out in the cross examination of these two witnesses to disbelieve or discredit the evidence tendered by these two reasonable and senior officers of the management company. It may be recalled that there is no allegation of mala fides vindictiveness or bias against the above two officers or any other officers of the management company by the delinquent. There are also no explanation as to why MWs-2 and 3 should conduct a false report and the management initiate disciplinary proceedings against the delinquent. The evidence of MW-2 and MW-3. Exts. M-3-A and M-4 make it clear that the Managing Director of the company has issued order for night inspection and MW-2 and MW-3 could not conduct night inspection as they were not permitted to go inside the factory by the delinquent.

18. The workman would vehemently contend that the management has not issued Ext. M-4 order and there existed the practice of punching the cards and making entries in movement register by everybody including the officers of the company who are entering premises of the company. It is true that as per circular dated 8-10-1966 the management has issued such a direction. But it has come out in evidence through MW-2 and 3 and also the security officer, Sri Rasalam who was examined in the enquiry, which is evident from Ext. M-3 enquiry file, that the practice followed as per circular dated 8-10-1966 was subsequently waived and there is no such practice now in force. As I have stated above there are no reasons to hold that Ext. M-4 order was conducted subsequently. Ext. M-4 order shows that Managing Director has issued direction for night inspection and separate terms are also appointed for that. The evidence of security officer given before the enquiry officer as evident from pages 25 to 32 of Ext. M-3 file fully supports the case of management. It is true that the enquiry proceedings has been quashed by this Tribunal. But it is now well settled that the evidence in enquiry is material on record. The evidence in the enquiry was admitted to be produced and marked through the enquiry officer before this Tribunal. There was no objection in marking the enquiry evidence and when the witness who gave evidence in the enquiry was not called upon for cross examination at the instance of the employees, such evidence will have to be taken into account. The security officer has deposed that he had given oral instructions to the head guard and other guards regarding night inspection that there was night inspection before 7-5-1989 that there was no obstruction to any officers for night checking upto 6-5-1989 till the checking started and that he himself has done night checking. This witness has explained as to why it was not informed in writing night checking to the guards as to very purpose would be defeated. He has explained that the purpose of night checking was to inspect whether the guards on duty in the night are discharging their duties properly and if it is recorded in the registers that will be known publically and therefore he has orally told to head guard and other guards regarding the inspection. This witness has further stated that the delinquent was on duty at the gate on 7-5-1989. There are no reasons to disbelieve the evidence of security officer. The evidence of security officer clearly establish that there existed practice of night checking and there is no practice of officers making endorsement in the movement register during their entry into the premises of the company. The evidence of the delinquent itself proves the case of management. He has deposed in cross-examination that he is aware of the night checking done before 7-5-1989 and that he has not made any enquiries to other security guards regarding night checking. So the contention of the workman that he had no information regarding night inspection he has only informed MW-2 and MW-3 to record in writing in the register and to enter the factory premises and there existed such a practice are without force. These contentions can only be

considered as an after thought to escape from the misconducts levelled against the delinquent and are liable to be rejected.

19. The workman has another contention that the officers entering the company during night have to make endorsement in the visitors book and not in the movement register. But when a pointed question was asked to him by the management's counsel as to whether there is any handwriting of any of the officers in Ext. M-5 movement register he has answered that there is his handwriting in Ext. M-5. Ext. M-5 is for the period from 12-1-1989 to 29-5-1989. He has not denied the specific case of the learned counsel for the management that the entries in Ext. M-5 movement register are only of security guards and not of any of the officers. In re-examination the delinquent has stated that he does not know whether the practice of making entries in the register by officers in the porcelain division is now in existence. This particular statement is against the very case of the delinquent that there existed a system of making entries by officers in the registers for entering the factory premises. Further in Ext. M-5 there are entries regarding entrance of officers including the Managing Director, MW-1 Junior Engineer etc. particularly in pages 129, 131, 142, 145 etc. on 24-4-1989, 15-4-1989, 6-5-1989 and 8-5-1989 respectively during night time. The delinquent has no case that these entries are made by the concerned officers. The above entries in Ext. M-5 make it clear that the entrance of officers of the company during night are recorded in this register. It is also interesting to note that the delinquent has stated in his chief examination that officers have to endorse in the movement register while he has stated in his re-examination that officers have to endorse during night in the visitors book. Such contrary statement of the delinquent itself negates his case that the officers entering the company during night have to make entries in the visitors book and also by themselves. The evidence of the delinquent stated above shows that he is not straight forward and he is speaking falsehood. Therefore his evidence cannot be accepted and acted upon. It is also specific to note that the management was not called upon to produce the visitors book. In these state of affairs the above contention of the delinquent is only to be rejected.

20. From the discussions made above I have no hesitation to hold that the workman is guilty of the charges levelled against him and that the management has succeeded in establishing the charges.

21. The question now remains for consideration is regarding the punishment. Ext. W-1 is the order of the Managing Director imposing punishment as per the standing orders of the company, a copy of which has been produced here and I am marking as Ext. M-6 for identification. It is evident from Ext. W-1 order of Managing Director that the punishment of barring 3 increments with cumulative effect has been ordered as the charges proved against the workman falls under clause 17(3)(h) and 13(a) of the standing orders of the company. The workman has no case that the punishment imposed is excessive or disproportionate to the charges levelled against him. As per clause 17(1) of Ext. M-6 the management is empowered to impose the punishment in question for the misconducts now proved against him. Further under Section 11-A of the Act no interference is called for from this Tribunal as the punishment is barring of 3 increments only particularly when there are no extenuating circumstances warranting such interference. The action of management is therefore legal and justified.

22. In the result, an award is passed upholding the action of management in imposing the punishment of withholding of 3 increments of Sri L. Purushothaman and therefore he is not entitled to any relief.

C. N. SASIDHARAN, Industrial Tribunal
APPENDIX

Witnesses examined on the side of the Management

MW-1—Sri K. I. Thomas.

MW-2—Sri V. B. Rajasekharan Nair.

MW-3—Sri L. Purushothaman.

Documents marked on the side of the Management

Ext. M-1—Order of the management dated 17-5-1989 appointing the enquiry officer.

Ext. M-2—Enquiry report.

2134 GI/94—26

Ext. M-3—File containing, enquiry proceedings, state of witnesses, documents etc.

Ext. M-4—Photocopy of the order of the Managing Director of the management company dated 19-4-1989.

Ext. M-5—Movement Register of the management for the period from 12-1-1989 to 24-5-1989.

Ext. M-6—Copy of standing orders of the management. Documents marked on the side of the Workman

Ext. W-1—Proceedings of the Managing Director of the management company dated 22-6-1991.

Ext. W-2—Order of the Managing Director of the company dated 20-11-1990.

नई दिल्ली, 12 सितम्बर, 1994

का.प्र. 2585—केन्द्रीय सरकार का समाधान हो गया है कि लोक हित में ऐसा घोषित है कि भारत प्रतिभूति मंत्रालय जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची में प्रविष्टि 12 पर निबिष्ट किया गया है उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिये;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (द) के उपखंड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारत प्रतिभूति मंत्रालय, नासिक को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः माह की अवधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/3/91-आई प्रार (नी. विधि)]

एस. एस. पराशर, सचिव

New Delhi, the 12th September, 1994

S.O. 2585.—Whereas the Central Government is satisfied that the public interest requires that the India Security Press, which is covered by entry 12 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared as a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of the Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with an immediate effect the India Security Press, Nasik to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/3/91-IR (Policy Legal)]

S. S. PARASHER, Under Secy.

नई दिल्ली, 12 सितम्बर, 1994

का.प्र. 2586 --बीड़ी कर्मचार कल्याण निधि नियम, 1978 के नियम 3 के उप-नियम (1) और नियम 4 के उप-नियम (1) के साथ पठित बीड़ी कर्मचार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार विनांक 28 मार्च, 1992 को भारत के राजपत्र के भाग II खण्ड 3, उप-खण्ड (ii) में प्रकाशित भारत सरकार के श्रम मंत्रालय की विनियम

13 मार्च, 1992 की अधिसूचना का.आ. 950 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में क्रम संख्या 37 और उसमें संबंधित प्रविष्टियों के लिए निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएंगी अर्थात्:—

“37, श्री किकर पोसाक,
स्कूल डांगा,
डाकाघर एवं जिला-बांकुरा,
बांकुरा-722101,
पश्चिम बंगाल”

[सं. यू-23011/1/87-डब्ल्यू-II(सी)]

आर.के. नरुला, अवर सचिव

New Delhi, the 12th September, 1994

S.O. 2586.—In exercise of the powers conferred by section 6 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976) read with sub-rule (1) of rule 3 and sub-rule (1) of rule 4 of the Beedi Workers Welfare Fund Rules, 1978, the Central Government hereby makes the following amendment in Notification of the Government of India in the Ministry of Labour S.O. 950 dated the 13th March, 1992 published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th March, 1992, namely:—

In the said Notification for serial number 37 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

“37. Shri Kinkar Posak,
School Danga,
P.O. & Distt. Bankura,
Banpura-722 101,
(West Bengal).”

[No. U-23011/1/87-W. II(C)]
R. K. NARULA, Under Secy.

नई दिल्ली, 12 सितम्बर, 1994

का.आ. 2587.—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 5क की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार केन्द्रीय न्यासी बोर्ड में श्री सुशान्त नाथ के स्थान पर श्री बी.पी. पंत को सदस्य के रूप में नियुक्त करती है और 13 फरवरी, 1991 को भारत के राजपत्र, असाधारण, के भाग II खंड 3, उप-खंड (ii) में प्रकाशित भारत सरकार के श्रम मंत्रालय की विमांक 12 फरवरी, 1991 की अधिसूचना का.आ. संख्या 92(अ) में निम्नलिखित संशोधन करती है।

उक्त अधिसूचना में क्रम संख्या 30 के सामने और इससे संबंधित प्रविष्टियों के लिए निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

“श्री बी.पी. पंत,
उप सचिव, अधिल भारतीय नियोजक संगठन,
फेडरेशन हाऊस, तानसेन मार्ग,
नई दिल्ली-110001”

[सं. सी-20012/1/93-एस.एस. (II)
जे.पी. शुक्ला, अवर सचिव

New Delhi, the 12th September, 1994

S.O. 2587.—In exercise of the powers conferred by Sub-Section (1) of the Section 5A of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government hereby appoints Shri B. P. Pant as a member of the Central Board of

Trustees in place of Shri Sushant Nath and makes the following amendment in the notification of the Govt. of India in the Ministry of Labour S.O. No. 92(E) dated the 12th February 1991 published in Part II, Section 3, Sub-Section (ii) of the Gazette of India, Extraordinary dated the 13th February, 1991.

In the said notification against serial No. 30 and entries relating thereto the following shall be substituted namely:—

“Shri B. P. PANT,
Deputy Secretary,
All India Organisation of Employers,
Federation House,
Tansen Marg,
New Delhi-110 001.

[No. V-20012/1/93-SS. II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 14 सितम्बर, 1994

का.आ. 1588.—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 2 के खंड (टख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार, श्रम मंत्रालय की अधिसूचना का.आ. सं. 533 (अ.) दिनांक 29 जून, 1990 जिसे भारत के राजपत्र, असाधारण के भाग-II खंड 3 उपखंड (ii) में 3 जुलाई, 1990 को प्रकाशित किया गया था में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची में:—

(1) क्रम सं. 4 के समक्ष कालम (2) में दी गयी प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जायेगा, अर्थात्:—

“श्री ए.एस. इशी,
क्षेत्रीय भविष्य निधि आयुक्त,
गुजरात।”

(2) क्रम सं. 16 के समक्ष कालम (2) में दी गयी प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जायेगा, अर्थात्:—

“श्री एम. लारायणप्पा,
सहायक भविष्य निधि आयुक्त,
उत्तर प्रदेश।”

[सं. आर-11013/2/90-एस.एस.-II]

जे.पी. शुक्ला, अवर सचिव

New Delhi, the 14th September. 1994

S.O. 2588.—In exercise of the powers conferred by clause (Kb) of Section 2 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following amendment in the Notification of the Government of India, Ministry of Labour S.O. 533(E), dated the 29th June, 1990 published in Part II Section 3, sub-section (ii) of the Gazette of India, extraordinary dated the 3rd July, 1990 namely:—

In the Schedule to the said Notification:—

(i) against serial No. 4 for the entry under column (2) the following entry shall be substituted, namely:—

“SHRI A. S. ISHI,
Regional Provident Fund Commissioner,
GUJARAT.”

- (ii) against serial No. 16 for the entry under column (2) the following entry shall be substituted, namely :—

“SHRI M. NARAYANAPPA,
Assistant Provident Fund Commissioner,
UTTAR PRADESH.”

[No. R-11013/2/90-SS. II]
J. P. SHUKLA, Under Secy.

नई दिल्ली, 14 सितम्बर, 1994

का.प्र. 2589 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिजर्व बैंक ऑफ इंडिया के प्रबन्धकों के संबंध में, केन्द्रीय सरकार रिजर्व बैंक ऑफ इंडिया के प्रबन्धकों के संबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-9-94 को प्राप्त हुआ था।

[संख्या एन-12011/11/91-आईआरबी-III/बी.-I]
बी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 14th September, 1994

S.O. 2589.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Reserve Bank of India and their workmen, which was received by the Central Government on the 7-9-1994.

[No. L-12011/11/91-IR. B. III/B. I]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
BANGALORE

Dated the, 29th day of August, 1994

PRESENT :

Sri M. B. Vishwanath,
B.Sc., B.L.,
Presiding Officer.

CENTRAL REFERENCE NO. 25/91

I party

The General Secretary,
Reserve Bank Workers Organisation,
Anooradha Building,
Subedhar Chatram Road,
Bangalore-560 009.
(By Sri N. G. Phadke, Advocate)

V/s.

II party

The Manager,
Reserve Bank of India,
Nrupathunga Road,
Bangalore-560 001.
(By Sri K. D. Zacharias, Sri E. P. Ramachandran,
Sri S. Nagarajan)

AWARD

In this reference made by the Hon'ble Central Govt. by its order No. L-12011/11/91-IR. B. III dt. 2/3-5-4 under Section 10(2A) (1) (d) of the I.D. Act the point for adjudication as per schedule to reference is :—

“Whether the action of the management of Reserve Bank of India, Bangalore, is justified in not regularising the undermentioned ticca mazdoors[daily rated employees of Reserve Bank of India, Bangalore? If not, to what relief the workers are entitled to?”

Sl. No. Name S/Shri

1. N. Nataraj
2. J. S. Edwin
3. V. Vijaykumar
4. N. Gauthaman (since deceased by wife Smt C. Kumari)
5. D. Devarajulu
6. Abdul Multalif
7. S. Gunasekharan
8. Sonnappa
9. Sampangi
10. R. Balakrishna
11. C. Ravikumar
12. T. Hanumanthaiah
13. M. Kempaiah
14. R. Narayana
15. Y. S. Purushothaman
16. G. Narasimhamurthy
17. B. M. Rajendrakumar
18. R. Sunderraju
19. S. Neelakanta
20. V. Venkataswamy
21. T. M. Krishnappa
22. K. Vijakumar
23. Galappa
24. Sathyanarayana
25. M. Ramakrishna
26. P. Moorthy
27. T. Venkatesh
28. Jayaram
29. K. Ramamurthy
30. A. Domanic
31. K. Kumar
32. D. Gangadhara

2. In the claim statement it is contended :—

There is a registered and recognised trade union by name Reserve Bank Workers' Union in the II party. This Union does not admit all workers to its membership if those workers do not subscribe to their slogan. The 32 workmen named in this reference are not admitted to the membership of this Union. The 32 workmen named in the present reference were recruited by the II party through Employment Exchange for the posts of mazdoors. They have been doing the job of mazdoors from the dates mentioned against their names

continuously and their categories are as shown below :—

Name S/Shri	Date of appointment	S.C./S.T. General
1. N. Nataraj	17-3-82	Gen.
2. J.S. Edwin	17-3-82	Gen.
3. V. Vijayakumar	6-5-85	S.C.
4. N. Gouthaman (Since deceased by wife Smt. C. Kumari)	6-5-82	S.C.
5. D. Devarajulu	6-5-82	Gen.
6. Abdul Multalif	6-5-82	Gen.
7. S. Gunasekharan	6-5-82	Gen.
8. Sonnappa	6-5-82	S.C.
9. Sampangi	6-5-82	S.C.
10. R. Balakrishna	6-5-82	Gen.
11. C. Ravikumar	6-5-82	Gen.
12. T. Hanumanthaiah	6-5-82	S.C.
13. M. Kempaiah	26-9-83	S.C.
14. R. Narayana	26-9-83	Gen.
15. Y.S. Purushothama	26-9-83	S.C.
16. G. Narasimhamurthy	23-7-84	S.T.
17. B.M. Rajendrakumar	9-5-86	S.C.
18. R. Sunderraju	9-5-86	Gen.
19. S. Neelakanta	9-5-86	Gen.
20. V. Venkataswamy	9-5-86	S.C.
21. T.M. Krishnappa	9-5-86	S.C.
22. K. Vijayakumar	9-5-86	Gen.
23. Galappa	9-5-86	S.C.
24. Sathyanarayana	9-5-86	Gen.
25. M. Ramakrishna	9-5-86	Gen.
26. P. Moorthy	12-11-86	S.C.
27. T.V. enkatesh	12-1-86	Gen.
28. Jayaram	3-12-86	Gen.
29. K. Ramamurthy	27-1-88	Gen.
30. A. Domanic	27-1-88	Gen.
31. K. Kumar	27-1-88	Gen.
32. D. Gangadhara	27-1-88	Gen.

Though these 32 workmen are performing duties which are permanent in nature for years they are designated as ticca (daily wage) mazdoors, with the object of depriving the status and privileges of the permanent workmen.

Some officers are engaged in recruiting and filling up the posts in Class-IV vacancies by resorting to direct recruitment, unhealthy and unprincipled switch-over given to certain other categories of junior and part time employees and by adopting dubious method of selections at the cost of these 32 workmen who are qualified and experienced.

N. Ramalingam and V. V. Srinivas, who are part-time sweepers and who were juniors to the first ten ticca mazdoors of the present 32 workmen, have been appointed as mazdoors. N. Ramalingam had even failed in the interview in 1982 held for the recruitment of ticca mazdoors. In this interview held in 1982 the first ten of 32 workmen were successful. N. Ramalingam, who failed in the interview, was subsequently recruited as part-time sweeper. V. V. Srinivas was appointed as part-time sweeper in 1983.

Ramakrishna, S. Rangaraju, K. Ramamurthy and I. K. Singha were directly appointed as peons in 1989, ignoring the present 32 ticca mazdoors.

Ramakrishna, M. Krishnamraju, D. Nagaraju, Ramalingaiah, V. V. Chandrashekar and E. Manohar who were ticca mazdoors and who were juniors to many of the present 32 workmen, were appointed as peons ignoring the rights of the present 32 workmen.

The following is the list of persons who were given switchover from other categories and appointed as mazdoors since 1-9-82 exhausting the available mazdoor vacancies at the cost of 32 workmen :

Name S/Shri	Category before switchover	Date of switch-over
1. R. Chandrashekar	Sweeper	1-9-82
2. B. Boredouda	Sweeper	1-9-82
3. M. Selvaraj	Tea/water boy	4-8-83
4. N. Hanumantha	Tea/water boy	4-8-83
5. D.L. Panduranga	Tea/water boy	1-10-83
6. M. Mohan	Tea/water boy	2-11-83
7. S. Raju	Tea/water boy	16-11-83
8. N. Sudhakara	Tea/water boy	15-3-84
9. R. Swathanthraraju	Tea/water boy	21-11-84
10. Ramgappa	Farrash	1-2-85
11. R.K. Marichikkegouda	Farash	1-2-85
12. J.N. Moses	Sweeper	1-4-85
15. R.H. Varadaraju	Tea/water boy	23-10-86
16. M. Jayaram	Tea/water boy	23-10-86
17. Shivalingaiah	Tea/water boy	14-06-89
18. N. Shivaram	Tea/water boy	14-06-89
19. Chikkamari	Tea/water boy	14-06-89
20. Anbalagam	Tea/water boy	14-06-89
21. K. Michael	Tea/water boy	28-08-89

The II party has committed unfair labour practice, thereby depriving the present 32 workmen their legitimate benefits. The I party Union made a representation to the II party to absorb 32 workmen. The II party has failed to do so. The II party is not justified in not regularising the services of the 32 workmen. The 32 workmen are entitled to be regularised from the dates of joining the services, with consequential benefits such as payment of arrears of pay and allowances.

3. In the counter statement it is contended :—

The ticca mazdoors are offered employment on any casual vacancies as and when such vacancies arise. They are considered for appointment for regular vacancies as and when regular vacancies arise. The rights of the I party ticca mazdoors have not been affected. Mazdoors working in casual vacancies are called ticca mazdoors. Bank is following uniform recruitment policy. There is a scheme of switchover from other class-IV cadres such as farash, sweepers etc. to the cadre of peon/mazdoor. The switchover scheme facilitate movement of employees from one cadre to another. In the process full time and part-time employees get absorption in the cadre of peon/mazdoor.

It is true that the 32 persons listed therein were selected and waitlisted by the bank for the posts of mazdoors. However, the contention that they were

performing mazdoors' duties continuously from the dates mentioned there is not correct. They are engaged only on the days they report at the office subject to the need for such engagement on that day and some of them have not reported for duties for long periods.

The allegations made against the bank and its officers are baseless. The bank has not made any appointments, depriving the rights of I party members for regular appointment. The bank has formulated the switchover policy in consultation with the recognised union. The bank has been implementing Government of India's reservation policy for S.C./S.T./P.H.C./Ex-servicemen in the matter of recruitment. To comply with the reservation requirement in respect of these special categories and in the absence of any eligible candidates belonging to the special category in the ticca mazdoors' cadre, the Bank has to resort to direct recruitment. In that process, it is possible that some of those already working on daily wage basis may be superseded.

The engagement of ticca mazdoors is resorted to only to meet casual absenteeism of regular incumbents. The allegations of unfair labour practice is not true.

The illustrations given by the I party in the various tables have to be considered in the light of bank's policy.

N. Ramalingam, V. V. Srinivas were appointed as part-time sweepers on 7-2-83. When subsequently the waiting list for the post of mazdoors was prepared, they were found eligible and were placed above the then existing daily wage employees. They were appointed on regular basis on the lines of Bank's switchover scheme. In that process it is possible that they would have got absorbed earlier to some ticca mazdoors who were engaged prior to the appointment of these two employees.

The three employees Ramakrishna, S. Rangaraju and K. Ramamurthy belong to S.C. community and I. K. Singha belongs to ex-serviceman category. These four persons were sponsored by the employment exchange/sainik welfare board for the post of peons. So they were wait listed for the post of peons in 1980. They had to be given preference in appointment to comply with the reservation policy of the Government to meet the reservation requirement's in the category of S.C. and ex-servicemen.

The appointments of 6 peons mentioned in table 3 of the claim statement were made after preparation of a waiting list after calling for applications in the existing full time, part-time daily rated (ticca) employees who satisfy the eligibility criteria. These 6 persons were found suitable for the posts of peons and were appointed as per their turn in the waiting list.

Some of the disputants were not eligible for the post of peons on account of their low educational qualifications and some others, though, called for interview, were found not suitable by the selection board constituted for the purpose. Hence the I party's contention that they were ignored is not true.

The 21 persons appointed as mazdoors under the switchover scheme mentioned in table 4 of the claim statement were given preference since they were al-

ready working in some capacity and so they were given the benefit of switchover scheme. There was no irregularity done to defeat the rights of I party ticca mazdoors. It is not true that the bank has ignored Section 33 of the I.D. Act.

The II party is justified in not regularising the 32 workmen for the reasons stated herein above. They are not entitled to benefits extended to regular employees. Regularisation of services of workmen is done exactly in accordance to the existing norms. No injustice has been done to the 32 I party workmen. The reference has to be rejected.

4. The I party filed rejoinder affirming the case set out in the claim statement and denying the case of the II party in the counter statement.

5. As could be seen from the order sheet dt. 6-12-91 the Tribunal has passed the order to the effect that the point for determination is covered by the schedule to reference and no separate issues are required. It has been made clear that all other subsidiary points would be considered at the time of final arguments.

6. It is not disputed that all the 32 ticca mazdoors involved in this reference were initially recruited as per rules and regulations.

7. I have set out in para 2 above the names of all the 32 workmen, since when they have been working. The statistics given by the I party workmen since when they have been working as ticca mazdoors is not disputed by the II party.

8. It is clear from the admitted facts, set out in para 2 above, that out of 32 workmen 12 workmen have been working as ticca mazdoors since 1982, 3 have been working since 1983, one has been working since 1984, as many as 13 have been working since 1986 and 4 ticca mazdoors have been working since 1988. It is not as if that the 32 workmen were recruited as ticca mazdoors to work in casual vacancies only recently. All the ticca mazdoors involved in this reference have been working for a long time, ranging from 7 years to 13 years. They have been working as ticca mazdoors even now.

9. The law laid down by the Supreme Court in (1988) 2 L.L.J. 109 (The General Secretary, Bihar State Road Transport Corporation, Patna v/s. The Presiding Officer, Industrial Tribunal, Patna and others) fits like a glove to the present reference, in view of the admitted facts. It has been laid down by the Hon'ble Supreme Court that "Since it is admitted that a large number of people have been working as casual labourers for a long number of years, the question whether they were initially appointed regularly or irregularly becomes immaterial for purposes of the question involved in this case. This Court has in a number of decisions already rendered by it directed regularisation of casual labourers wherever it found that such labourers had been working for a number of years".

10. It has been laid down by the Supreme Court in 1991 L.L.J. 320 (Bhagavati Prasad v/s. Delhi State Mineral Development Corporation) at page 322, para 6 that "once the appointments were made as daily rated workers and they were allowed to work for a considerable length of time, it would be hard and harsh to deny them the confirmation in the respective posts

on the ground that they lack the prescribed educational qualification." This authority applies with greater force to the present case because all the 32 workmen have the necessary qualification to be appointed in permanent posts.

11. It has been laid down by the Allahabad High Court in 1991 II C.L.R. 318 (Rajendra Prasad Tamer and Another v/s. Mayo Hall Sports Complex and others) if the petitioner is a daily wage earner for 10 years and seeks regularisation, employee cannot be kept on daily wages for an indefinite period and if it is done so it is violative of Articles 14 and 16 of the Constitution.

12. The Allahabad High Court has been pleased to hold in 1991 (62) F.L.R. 884 (Tej Bal and others v/s. Director of Education and others) that in such cases where daily wage earners had worked for a number of years, regularisation of such daily wage earners is imperative under the Constitutional Philosophy, even if there is no rule for regularisation.

13. To repeat, the casual or temporary mazdoors involved in this case have been working for years. Clause 10 of the Vth Schedule to Section 2(ra) of the I.D. Act clearly says that to employ workmen as casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent workmen, is an unfair labour practice. The action of the II party is not regularising the I party workmen as permanent mazdoors clearly amounts to unfair labour practice.

14. In view of the law laid down by the Supreme Court, the II party cannot be permitted any longer to keep the 32 ticca mazdoors (casual mazdoors) on tenterhooks. The switchover system as per Ex. M.1, the directions given by the A.L.C. (C) as per Ex. M.5 requesting the II party not to make any change till the representation of Sweepers/Farashs of the II party bank of other Union is disposed of should not be allowed to come in the way of the reliefs to which the I party ticca mazdoors are entitled.

15. Ex. M.4 is the memorandum of settlement dt. 23-7-93 between the Management of II party and All India Reserve Bank Workers' Federation. On the strength of Ex. M.4 it is argued by the Learned Authorised Agent for the II party that the II party is ready to regularise on the basis of Ex. M.4. As against this submission, it is argued by the Learned Counsel for the I party that the II party is making use of Ex. M.4 to defeat the rights of I party workmen because Ex. M.4 has been entered into at the instance of the members of some other Union. The submission of the Learned counsel for the I party cannot be lost sight of.

16. The Learned Authorised Agent for the II party relied on AIR 1994 S.C. 1046 (Maharashtra State Co-operative Cotton Growers' Marketing Federation Ltd. and another v/s. Maharashtra State Co-operative Cotton Growers' Marketing Federation Employees' Union and another). This authority relates to seasonal employees.

17. The Learned Authorised Agent for the II party relied on 1993 II J.L.J. 937 (State of Haryana and others etc. etc. v/s. Piara Singh and others etc., etc.) In this authority of the Supreme Court it was noticed

that some initial recruitments were in violation of the norms and rules. Some employees had secured employment through the back door. Under these circumstances the Supreme Court was pleased to set aside the decision of the Punjab and Haryana High Court and hold that it was difficult to sustain the direction of the High Court that all those ad-hoc employees who have put in one year's service should be regularised, and the direction was given without reference to the existence of vacancies. I have carefully and respectfully read this decision of the Supreme Court. The observations of the Supreme Court in para 51 at page 957 go against the II party. The Supreme Court has been pleased to hold. If a casual labour is continued for a fairly long spell say two or three years a presumption may arise that there is regular need for his services. In such a situation, it becomes obligatory for the concerned authority to examine the feasibility of his regularisation, while doing so, the authorities ought to adopt a positive approach coupled with an empathy for the person."

18. One of the casual ticca mazdoor Sl. No. 4 was working since 1982 is since deceased and is represented by his wife Smt. C. Kumari. The Learned counsel for the I party submitted that the Tribunal might be pleased to issue directions to the II party to appoint one of the L.Rs. of N. Gouthaman on compassionate grounds. The Learned Authorised Agent submitted that this could not be done since compassionate appointment was outside the scope of reference. There is no substance in the arguments of the Learned Authorised Agent for the II party. The Tribunal has inherent right to grant appropriate relief to the weaker section in the interest of justice.

19. All other documents and evidence not relied by me are not relevant. In any case they do not alter my conclusion reached above.

20. I pass the order bearing in mind the directions given by the Hon'ble Supreme Court in para 5 in (1988) L.L.J. 109.

ORDER

I direct the II party bank to prepare a separate reasonable scheme for regularisation of the I party workmen (except Sl. No. 4 Gouthaman). The scheme shall be prepared within 8 months from the date of publication of the present award. I direct the II party to pay to the I party workmen salary and allowances at the rates equal to the minimum pay in the pay scale of regularly employed persons in the corresponding cadres. The arrears shall be payable from the respective dates of the appointment of each of the 32 workmen. In the case of Gouthaman the arrears to which Gouthaman was entitled till the date of his death shall be paid to his wife Smt. C. Kumari. The II party shall appoint one of the L.Rs. of Gouthaman as per rules on compassionate grounds. The directions of the A.L.C. (C) as per Ex. M.5 and the settlement Ex. M.4 shall not come in the way of implementation of the award passed herein. Reference accepted and award passed accordingly. Submit to Government.

(Dictated to Stenographer, typed by him, corrected, signed by me on this 29th day of August, 1994).

M. B. VISHWANATH, Presiding Officer

नई दिल्ली, 14 सितम्बर, 1994

का.प्र. 2590.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, सं. I, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-9-94 की प्राप्ति हुआ था।

[संख्या एन-12012/196/89-डी-3(ए) बी.आई.]
बी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 14th September, 1994

S.O. 2590.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. I, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on the 6-9-94

[No. L-12012/196/89-D. 3(A)|B. I]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 160 of 1989

PARTIES :

Employers in relation to the management of State Bank of India.

AND

Their Workmen.

PRESENT :

Shri P. K. Sinha, Presiding Officer.

APPEARANCES :

For the Employers—Shri A. K. Gupta, Authorised Representative.

For the Workmen—Shri T. K. Guha, Dy. General Secretary, SBI Employees Union (Bihar State).

STATE : Bihar. INDUSTRY : Banking

Dated, the 26th August, 1994

AWARD

By Order No. L-12012/196/89-D. 3(A) dated, the 24th November, 1989, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of State Bank of India in terminating the services

of Shri Suresh Pandey without issuing any chargesheet and without giving him any opportunity to defend his case was justified ? If not, to what relief is the workman entitled ?”

2. The case of the sponsoring Union is that the concerned workman was appointed in the subordinate cadre of the Bank on 8-4-1982 at its Main Road Branch, Ranchi and worked for a total period of 546 days including continuous period of 300 days in calendar year of 1984. It is their case through its written statement, that he was appointed after observing due formalities, but all on a sudden his services were terminated with effect from closing hours of 5-2-1985, allegedly without assigning any reason or without giving any notice or notice wages in lieu of that. The prayer of the sponsoring Union is to reinstate the workman with back wages and consequential benefits.

3. In the written statement the sponsoring Union has also alleged that the management did not pay him wages for the period from 1-2-85 to 5-2-85.

4. It may be mentioned that the claim of the sponsoring Union is that the workman had worked as watch and ward staff whereas the claim of the management is that he was working as badli guard, i.e., deputed to duty in absence of a regular guard whenever such occasion did arise. Admittedly the post of a guard or of a messenger belongs to the subordinate cadre in the Bank's service.

5. The claim of the management is that the workman was engaged as badli guard on 8-4-82 by Sri S. N. Jha, the then Branch Manager, but illegally and unauthorisedly. It has been claimed that the minimum qualification for appointment to the post of guard, including badli guard, was Class-VIII pass. Alongwith written statement the management has annexed Bank's Circular, Annexure-I, relating to the opportunity to be given to a temporary employee in subordinate cadre for the appointment in the Bank's service against the vacancy that may arise.

6. Further case of the management is that in due course the workman had submitted an application for the post of Messenger-cum-farash-cum-guard (Ext. M-1) giving details about him showing him to be Class-VII pass and his date of birth to be 16-5-1961. In this view he was not qualified for the post. It is alleged that later the workman submitted another application enclosing a School Leaving Certificate purported to have been issued by the Head Master of R.M.M.M. High School, Chandwara showing the workman to have passed Class-IX and his date of birth to be 18-12-69. The Bank got the matter enquired into and it was revealed that the School Leaving Certificate was a fabricated document. It was revealed on enquiry, that in the Employment Exchange the workman had claimed educational qualification of Class-VII pass and his date of birth to be 24-6-61. It has been stated that since his appointment was void abinitio hence the workman is not entitled to any benefit including the benefit of provision of section 25-F of the Industrial Disputes Act. It has also been argued in the written statement that since the workman was found involved in fabrication of document he was not entitled to any confidence of an Institution like Bank which dealt with money.

7. The points for consideration are, as to whether or not the action of the management in terminating the services of Suresh Pandey in the manner as it was done, was justified and, if not justified, to what relief the workman is entitled.

8. Some arguments on behalf of the management were addressed upon the Annexure-I to the written statement of the management, which is a Circular dated 14-4-88. This circular was issued by the management after a Bi-partite agreement between the Bank management and All India State Bank of India Staff Federation. This provides for guidelines as to how a temporary staff can be given chance for applying for

permanent appointment. Clause 6 of Annexure 'A' states that the candidate would be appointed in permanent service only if they fulfil the eligibility criteria and are found medically fit as per Bank's guidelines. Clause 1(iii) of Annexure 'B' provides for the age limit and educational qualification for messengerial posts and for other posts. The qualification as given out is Class-VIII pass but less than matriculation. Clause 3(a) of Annexure 'B' provides that the temporary employee would not be considered eligible for being given a chance for permanent appointment who did not fulfil eligibility criterias including educational qualification at the date of their initial temporary appointment. This also provides as to how the candidate should be selected for the permanent vacancy. This provides, amongst other things, releasing of advertisement by the management and filing of application by the eligible temporary workers who were then to face interview.

9. However, this circular in Annexure-I to the written statement of the management is dated 14-4-88 whereas the workman was appointed as Badli Guard on 8-4-1982 and was removed from that service with effect from 5-2-1985. In that view of the matter this circular, issued subsequently, cannot be given retrospective effect, but would be applicable in case the workman wished to apply against the permanent vacancy after 14-4-88. It may be noted that the reference was made by the Central Government in the Ministry of Labour, by its order dated 24-11-1989.

10. However, the management has proved through its witness Ext. M-10 which is general circular dated 30-9-76 issued by the General Manager (Opn) in which the qualification of "non-matriculate", which was the eligibility criteria for appointment to the subordinate cadre in the Bank's service, was clarified. This clarification was needed because the term "non-matriculate" was found vague enough to include even an illiterate person. This circular clarifies that a candidate for appointment to the subordinate cadre would need to possess the minimum educational qualification of having passed the VIIIth Standard. This criteria also covers the Bank's guard.

11. Therefore, obviously for a post in subordinate cadre, of which the concerned workman is an aspirant, the minimum qualification was determined to be Class-VIII pass much before the concerned workman was first posted in the Bank as Badli Guard.

12. There is no doubt that the concerned workman had worked in the Bank's services as Badli Guard and, as per Ext. M-9 which is the statement of temporary employees for quarter ending December, 1983, the workman, Suresh Pandey, was shown as having worked as Badli Guard from April, 1982 to January, 1983. This also showed that he had worked 135 days in a year, and for a total period of 317 days.

13. Therefore, before considering the claim of the workman to be absorbed in the service of the Bank in a post in subordinate cadre in view of his working there for a good number of days, it has to be considered first as to whether or not the workman was eligible under the criteria fixed for the post. Because, if the workman does not have minimum qualification to work in the post of Guard or in any other post in the subordinate cadre, then his appointment even as a Badli Guard or his claim to be appointed as Guard or to any similar other post cannot be considered.

14. Though in the written statement the sponsoring Union has not used the term "Badli Guard", but the workman himself in his evidence has admitted that he was appointed on 8-4-82 as Badli Guard.

15. But from the evidence on the record it must be held that the workman has not proved by cogent evidence that he had passed VIIIth Class. On the other hand, the management has brought sufficient evidence on the record to show that the workman had taken help of fabricated document to prove that he had passed VIIIth Class. The workman in his evidence has admitted about filing of an application by him in proforma as temporary employee (for the post of Messenger-cum-Guard-Farash), though he has claimed that he had filed this application before his dismissal from service. Ext. M-3 is Transfer Certificate dated 15-1-75 issued by Middle School, Rampur, Hazaribagh, filed by the workman which the workman admitted in his evidence to have been filed after filing of

Ext. M-1 though the management witness No. 1 has claimed in his evidence that the certificate in Ext. M-3 was filed along-with his application.

16. Be that as it may, the witness admittedly had filed the document in Ext. M-1 and Ext. M-3. In this application he has shown his qualification to be Class-VIIIth only and his date of birth to be 16-5-61. He also has given the Employment Exchange Registration Number relating to him. Ext. M-3 certifies that at the time of leaving the school he was in Class-VII and that his date of birth was 16-5-61. This shows that he had left the school on 31-12-74.

17. Ext. M-6 is a letter sent by the management to the Employment Exchange requesting to provide the details about the concerned workman in relation to Registration No. given by the workman in Ext. M-1. Ext. M-7 is the reply submitted by the Asstt. Director (Employment) at Ranchi in which he informed, relating to Registration Number supplied by the workman, that the concerned workman was registered on the basis of his educational qualification of VIIIth pass, with the date of his birth to be 24-6-61.

18. This Asstt. Director was examined in the Tribunal as MW-5 in which he supported what he had written in Ext. M17.

19. These all show that at the time the workman had filed his application in Ext. M-1 his educational qualification was VIIIth pass, short of minimum educational qualification of VIII pass. The management witness has claimed that this application was filed after the workman was removed from service whereas the workman has claimed that he had filed that while he was in service. No date is given on Ext. M-1 and there is nothing on the record to show as to exactly on what date the application was filed. But it has been admitted by the workman himself that after his removal from service he had passed VIII Class. The workman in his evidence during cross-examination submitted that he had passed VIII examination either in the year 1992 or in the year 1993. Therefore, obviously, on the date when he was appointed as Badli Guard and on the date when he was removed from service he had not passed VIIIth class examination.

20. No doubt, the workman in his evidence denied that his name was recorded in the Employment Exchange, but this obviously is a lie because the workman himself had supplied his registration number in Ext. M-1 on the basis of which the management made enquiries and it had transpired that he actually was so registered in which his claimed qualification was VIIIth pass. From Ext. M-7 it will appear that his registration was made on 6-9-82, i.e., after he was appointed as Badli Guard, but before his removal from service.

21. The workman in his evidence has denied that he had submitted the School Leaving Certificate in Ext. M-4. But MW-1, Y. Shamal Rao, Officer of the Bank has stated that Ext. M-4 was submitted by Suresh Pandey, at a later stage, to the Branch Manager of the aforesaid Branch, Sri A. R. Mishra. There is nothing in the cross-examination to disbelieve this statement. Sri A. R. Mishra, the then Branch Manager is MW-3, also has claimed that Ext. M-4 was filed before him by Suresh Pandey. He also proved his letter in Ext. M-5 relating to the date of birth of the workman as given in Ext. M-4. In cross-examination he submitted that after termination from service, Sri Pandey had applied for absorption in

service and in that process he had submitted Ext. M-4 to him. Therefore, there is sufficient evidence on the record to show that it was the workman who had filed Ext. M-4 before the authorities. It was this Ext. M-4 which led Sri A. R. Mishra, Branch Manager to write letter in Ext. M-5 to the Regional Manager of the Bank in reply to his letter stating that the workman had explained that the school authorities by clerical error had mentioned his date of birth to be 16-5-61 which error he had got corrected when he got admitted in a new school from which he completed Class-IX. According to this letter, the workman had affirmed before him that the date of birth as given in the certificate of Class-IX (Ext. M-4) was correct one. In this letter Sri Mishra certified that he had seen the certificate of Class-IX in original and that the date of birth mentioned therein was 18-12-61. Under such circumstance I have no doubt that this Ext. M-4 was submitted by the concerned workman to the management.

22. Ext. M-11/1 is the certificate granted by the Head Master of Rameshwar Modi Mahadeo Modi High School, Chandwara, Dist. Hazaribagh, in which he had certified that the certificate in Ext. M-4 was not issued from his school. This certificate is annexed to Ext. M-11 which is a report by one Sri B. K. Sen, Office Manager of the Bank, submitted to the Regional Manager relating to Ext. M-4 submitted by the workman. From this report it appears that he had another officer had visited the school concerned and had verified the School Leaving Certificate in various ways but everything proved, including the certificate granted by the Head Master, that the certificate in Ext. M-4 was a fabricated one.

23. MW-4 is Sri Ayodha Prasad Yadav, Head Master of the School who is said to have issued the certificate in Ext. M-4. In his evidence he proved his certificate and also said that Ext. M-4 was not issued from his school. He stood the test of cross-examination. Likewise, MW-2, Sri B. K. Sen, the officer who had enquired into the matter and had submitted the certificate with Ext. M-11, has supported his report in his evidence.

24. Therefore, there is sufficient evidence on the record to show that Ext. M-4 which was filed by the concerned workman was not a genuine document.

25. Some confusion was added in the matter by the evidence of the workman himself who said during the cross-examination that he had passed Class-VIII from Ranchi Chandi Vidyalaya, giving out the name of yet another school.

26. Though it is not very relevant, but I may discuss some other exhibits on the record also, such as, Ext. W-2 and Ext. W-2/1 which appear to be photo copies of the attendance of some workmen including Suresh Pandey. Ext. W-2 relates to the dates from 31-1-85 to 3-2-85 whereas Ext. W-2/1 relates to the date from 14-2-89 to 17-2-89. In Ext. W-2/1 the name of the concerned workman does not figure at all. In Ext. W-2 the workman has been shown on duty on 31-1-85 and 1-2-85 only.

27. Likewise Ext. M-8 shows the attendance of the concerned workman from April, 1982 to February, 2134 GI/94-27

1985. This shows different number of attendances for different months, maximum being 26 days for two different months, and minimum being as low as one day in a month. From this Chart it will appear that for certain months, such as, May, 1983 the workman had not worked at all. But this is admitted position that the workman had worked as Badli Guard in that Branch of the Bank which in itself suggests that he was not supposed to be engaged for every working day in a month.

28. Even if one is temporarily appointed to a post, he must conform to the minimum qualification for that post which is the general rule. Therefore, even for being temporarily appointed the workman must have passed Class-III. There are documents on the record showing admission of the workman that he had passed Class-VII. His document for Class-IX has been found not to be genuine, and there is no document to show that he had passed Class-VIII from a school. Therefore, from the materials on the record it has to be taken that what the workman has been able to prove that he had passed only Class-VII (also vide Ext. M-3).

29. Here it may be mentioned that the sponsoring Union, after the evidence was concluded and the argument was heard, appears to have adopted a peculiar course. It will appear that after both sides were heard, the representative of the sponsoring Union submitted that he would submit reply on law points, particularly about the decisions that have been placed by the management. But when on 4-7-94 at the Camp Court, Ranchi, the matter was taken up again for hearing on law point the sponsoring Union was found absent despite receipt of notice of the date of hearing. Thereafter the award was reserved but the sponsoring Union was given some time to place its law points before the Tribunal with advance information to the management. The notice of this order was also sent to the sponsoring Union. It appears that sometime thereafter the sponsoring Union, instead of appearing and arguing the law points, sent a short of written argument which was mainly on the point of facts and it also annexed two circular orders issued by the management, basing its written argument on those circulars. Obviously the Union should have filed those circulars when the evidence was being collected or, atleast should have appeared, with notice to the management, to place their fresh argument on the matter of facts, also making submission to the Tribunal for marking these circulars as exhibits. However, in view of the fact that the sponsoring Union thought it fit only to put their fresh points in writing, the management also filed its rejoinder.

30. The written argument is that as per Annexure-I and II to the written argument, the qualification of VIIIth Standard passed was done away with. But I don't find that these two circulars will help the concerned workman, even if these two circulars are considered.

31. Annexure-J is circular dated 4-10-90 which deals with the guidelines about considering non-messenger subordinate staff for conversion as messengers. It has been pointed out that earlier such non-messenger could be considered for conversion as

messengers provided they had put in 4 years of service and had passed VIIIth Standard or VIIth Standard pass, where the latter was a public examination. Revised instruction of the Government was that 25 per cent of the vacancies of messengers would be reserved for being filled up by transfer of non-messenger staff, such as, sweepers/farrashes/chowkidars etc. as had put in minimum of 5 years of service and possessed elementary literacy though they might not possess educational qualification of VIIIth class.

32. But this circular excludes watch and ward staff. If the workman was working as Badli Guard, it is to be taken that he was working as watch and ward staff. Moreover, from this circular it will appear that it applied to those non-messenger subordinate staff who were in regular service because this relates to their conversion in the post of messengers. Moreover, even as Badli Guard the workman had not worked there for a period of 4 years, which was condition earlier, not to say of working for 5 years which was the revised guideline. However, annexures mentioned in this circular have not been filed alongwith.

33. This circular was issued on 4-10-90. Therefore this circular would not be applicable to the workman who was removed from service in the year 1985.

34. Annexure-II to the written argument is another circular dated 14-5-85. But this deals only with the criteria for the subordinate staff to become eligible for appointment as drivers in the Bank. It has been argued that from this circular it will appear that earlier also menial staff like farash, waterboy, cash collie etc. were not required to have passed VIIIth Standard but were required to be able to read and write.

35. Evidently the concerned workman was not working there as menial staff in any of the categories described in these two annexures. Moreover, this Annexure-II related to the consideration of the other staff for appointment as drivers in the Bank. Therefore, these two annexures would not help the workman.

36. Moreover, cogent evidence has been brought on the record as already discussed, that the concerned workman had filed Ext. M-4 with the management which was found to be a fabricated document. Any person who is found by the management to be taking help of fabricated document cannot inspire the confidence of the management in his honesty and integrity. Such a person cannot be said to be deserving a job in any public enterprise particularly in a Bank which deals with the money of its constituents.

37. The aforesaid two circulars not having come to the rescue of the workman the matter is to be decided on the basis of educational qualification of VIIIth pass which the workman has not been able to prove.

38. The management has placed reliance upon a decision reported in 1986 K.L.T. at 801 (Eranalloor Service Co-operative Bank Ltd. Vs. Labour Court and others). Citing this decision, Sri Gupta, representing the management, argued that if an appointment was made by-passing the qualification prescribed for the post, that appointment has to be treated as made without authority of law, hence ab initio void.

Sri Gupta also argued that in such a case if the service of that workman was terminated, he would be deprived from claiming benefit of Section 25-F of the Industrial Disputes Act. He argued that the persons claiming the benefit of Section 25-F must have been validly appointed in the service of the employer in order to create relationship of master and servant between the two.

39. I agree with this line of argument of Sri Gupta. Similar was decided by a Division Bench of Hon'ble Kerala High Court, the decision reported in 1994-II-LLJ-97 (Between Koodaranji Service Co-op. Bank and M. M. Lissy and others).

40. Therefore, it has to be held that at the time the concerned workman was so temporarily appointed as Badli Guard, he was not having minimum educational qualification for that post in subordinate cadre of the Bank and that when his services were discontinued with effect from 5-2-85 (Ext. W-1) he had not acquired that qualification which fact is supported even by his own evidence.

41. Since it has not been proved by cogent evidence that the workman had that minimum qualification, the Bank cannot be directed by this Tribunal to reinstate him. Moreover, the workman by his act of using a fabricated document has rendered himself unworthy of any such consideration.

42. Since his temporary appointment itself was violative of general circular issued in that behalf, the appointment was void from its inception, hence no relationship of master and servant existed between the management and the concerned workman. In such circumstance the management was justified in discontinuing the service of the concerned workman without issuing him any chargesheet and without giving him any opportunity to defend his case, and without taking recourse to provisions of Section 25-F of the Industrial Disputes Act.

43. Following therefore is the award—

The action of the management of State Bank of India in terminating the services of Suresh Pandey without issuing any chargesheet and without giving him any opportunity was justified. The workman is entitled to no relief.

Under the circumstances of the case, the parties shall bear their own costs.

P. K. SINHA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 1994

का.प्र. 2591. —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ सी ग्राह् के प्रबन्धन के संबन्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-94 को प्राप्त हुआ था।

[संख्या एल-22012/463/एफ/91-ग्राह्धार(सी-II)]

राजानाल, बैंक अधिकारी

New Delhi, the 15th September, 1994

S.O. 2591.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 1-9-94.

[No. L-22012/463/F/91-IR. CII]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2.
BOMBAY
PRESENT

SHRI S. B. PANSE
PRESIDING OFFICER

REFERENCE NO. CGIT-2/37 OF 1992
EMPLOYERS IN RELATION TO THE MANAGE-
MENT OF FOOD CORPORATION OF INDIA
AND

Their Workmen

APPEARANCES :

FOR THE EMPLOYERS :—1. Shri B. J
Sawant—Advocate

2. Shri V. P. Godbode—Representative

FOR THE WORKMEN :—Shri S. R. Wagh—
Advocate

INDUSTRY : Food Corporation of India.

STATE : Maharashtra

Bombay, dated 30th August, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi, by its letter No. L-22012/463/F/91-IR(C.II) dated 16th June, 1992 had referred the following dispute for adjudication. It states...

“Whether the action of the management of Food Corporation of India to change the pattern in payment of O. T. without issuance of any notice to that effect is justified? If not to what relief the concerned workmen are entitled to?”

The workmen i.e. the Asstt. Secretary, Transport & Docks Workers Union filed a statement of claim. They stated that the Watchmen of the Food Corporation of India are victimised. It is averred that the unfair labour practice and intentions of resorting to contract labour system in respect of Watchmen is filed by the Food Corporation of India. They averred that the management is not paying O.T. as required under the Act and the calculation of O.T. is also not proper. The working hours of the Watchmen is of Class IV and is not specific as against the Dusting Operators who are Class IV servants. Being

aggravated by the actions of the management as dispute was raised before the Labour Commissioner and ultimately sent to the Central Government and in term it was sent for adjudication to this Tribunal.

2. The Management by its written statement Exh. 3/M opposed the claim. It is averred that the O. T. is properly paid as per the rules. It is submitted that the working hours are as per the provisions of law which is 6-1/2 hours net per day. It is pleaded that there is no justification in the reference and that the O.T. is properly paid.

3. My Learned Predecessor framed issues at Exh. 5. The issues and my findings thereon are as follows :

ISSUES

FINDINGS

1. Whether the F. C. I. has changed the pattern regarding the payment of overtime wages? : Does not arise.

2. If so, whether the action of the management of Food Corporation of India to change the pattern of the payment of O. T. without issuance any notice to that effect is justified? : Does not arise.

3. If not, to what relief the workman are entitled? : Does not arise.

4. What Award? : As per order below.

4. Today, when the matter was for hearing the workman filed purshis (Exh. 5/M) informing the Tribunal that the management is paying O. T. wages as per law, i.e. double the normal rate of wages. Hence the Union does not want to pursue the demand. There is no objection on behalf of the management to dispose of the reference on its basis. I also find that in view of the purshis (Exh. 5/M) that nothing is left to be decided in this matter. The dispute is no more in existence. Hence I record my findings on the issues accordingly and pass the following order :

ORDER

1. The reference is disposed of for want of prosecution.

2. No. order as to costs.

Dated : 30-8-94

S. B. Panse, Presiding Officer

नई दिल्ली, 16 सितम्बर, 1994

का.प्र. 2592 - केन्द्रीय सरकार ने यह समाधान ही जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिवृचना संख्या का.प्र. 844 दिनांक 18 मार्च, 1994 द्वारा वैकिंग कंपनी द्वारा चलाया जाता है, उक्त अधिनियम के प्रयोजनों के लिए 19 मार्च, 1994 से छः मास की कालावधि के लिए वॉच उपयोगी सेवा प्रदान किया था, और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रवृत्त शक्तिधर्मा का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग का उक्त अधिनियम के प्रयोजनों के लिए 19 सितम्बर, 1994 से छः मास की और बालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एम-11017/2/85-डी-1(ए)]
पी.एम. सिराजुद्दीन, निदेशक

New Delhi, the 16th September, 1994

S.O. 2592.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 844 dated the 18th March, 1994 the Banking Industry carried on by a Banking Company as defined in clause (bb) of Section 2 of the said Act to be a public utility service for the purpose of the said Act, for a period of six months from the 19th March, 1994;

And whereas, the Central Government is opinion that public interest requires the extension if the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 19th September, 1994.

[No. S-11017/2/85-D.I(A)]
P. M. SIRAJUDDIN, Director.

नई दिल्ली, 19 सितम्बर, 1994

का.आ. 2593.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार गुप्टिडेन्ट ऑफ पोस्ट ऑफिस के प्रबन्धन के संबंध नियोजकों और उनके कामगारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न. 1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 9-9-94 को प्राप्त हुआ था।

[संख्या एम-40012/127/91-डी-2(बी)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 19th September, 1994

S.O. 2593.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Superintendent of Post Office and their workmen, which was received by the Central Government on 9-9-1994.

[No. L-40012/127/91-D.2(B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD
In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 21 of 1992

PARTIES :

Employers in relation to the management of Superintendent of Post Office.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha, Presiding Officer.

APPEARANCES :

For the Management.—None

For the Workmen.—Shri D. K. Verma, Advocate.

STATE : Bihar

INDUSTRY : Postal

Dated, the 24th August, 1994

AWARD

By Order No. L-40012/127/91-D-2(B) dated 28-2-1992, 4-3-1992, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Deptt. of Post, Sahibganj in terminating the services of Shri Radhey Prasad Yadav is justified? If not, what relief he is entitled to?”

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But none of the parties appeared nor took any step. Thereafter several adjournments were granted to the parties. Lastly when the case was fixed on 9-8-1984 for filing of Written Statement by the workmen, Shri D. K. Verma, Advocate appeared before me for the workmen and submitted that the concerned workman involved in this reference, had lost his interest in this case, hence he was not in a position to file the W.S. It will appear from the records of this case that the reference was registered on 9-3-1992, still the concerned workman has not filed written statement, though the dispute raised by him.

3. Under the circumstances it appears that the workman is not interested in the reference, or now he has no dispute to get adjudicated.

Therefore, in this case I render a ‘No dispute’ Award.

P. K. SINHA, Presiding Officer

नई दिल्ली, 19 सितम्बर, 1994

का.आ. 2594.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार टेलीकाम फेक्टरी बीओएन, बम्बई, के प्रबन्धन के संबंध नियोजकों और उनके कामगारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न. 2, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 8-9-94 को प्राप्त हुआ था।

[संख्या एम-40011/16/86-डी-3 (बी)]
के.बी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 19th September, 1994

S.O. 2594.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom Factory Deonar, Bombay and their workmen, which was received by the Central Government on 8-9-94.

[No. L-40011/16/86-D.II(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2. BOMBAY

PRESENT :

Shri S. B. Pause Presiding Officer

Reference No. CGIT-2/37 of 1993

Employers in relation to the management of telecom Factory Deonar Bombay.

AND

Their Workmen

APPEARANCES :

For the employers : Shri S. B. Kedam Representative

For the workmen : 1. Shri R. M. Oke
2. Shri S. S. Jadhav Representatives

INDUSTRY : Telecom

STATE : Maharashtra

Bombay, dated 24th August, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi, its letter dated May 3, 1993 no. L-40011/16/86-D.II(B) referred the following dispute for adjudication under section 10 (1)(d) of the Industrial Disputes Act.

"Whether the employer of Post & Telegraph, Telecom Factories located at Bombay, Calcutta and Jabalpur were justified in not revising the incentive rates in respect of Direct and Indirect Industrial workmen in the factory with effect from 1-1-73 in proportion to the same ratio and percentage as had initially been introduced with effect from 1-5-63? If not, what relief such workmen are entitled to?"

2. The Union filed its statement of claim contending that on 30th April, 1963 the Government of India, Ministry of Communication P & T Board vide their letter introduced incentive scheme in the post and telegraph Workshops with effect from 1st May, 1963. As per the said scheme, the Workmen are entitled to receive the incentive benefits for increase in production over the standards, a direct worker will be paid incentive @ 75% of their basic hourly rate and an indirect worker shall be paid the incentive @ 37.1/2% of their basic hourly rate.

3. The recommendations of the 3rd Pay Commission were implemented with effect from 1-1-1973.

The merger of Dearness Allowance, Additional Dearness Allowance, interim relief in the basic rate of pay etc were some of the implementations. The employer had accepted the said recommendations of the Pay Commission. After the implementation of the said recommendation scales of pay of all categories underwent change. After that change a question arose as to how the incentive introduced by the said order to be calculated. After negotiations, it was agreed between the management and the representative of the workmen that on ad-hoc increase of 50% on existing rates effective from 1-9-1978 is to be said. It was also agreed that a professional body be appointed to fix revised norms. Ultimately by the letter of employer dtd. 18th November, 1981 announced modified hourly rates of incentive which were made effective from 1-10-1981.

4. The demand of the employees that rates of incentives to be calculated on the basis of the revised basic rates was accepted on 18-11-1981. But their prayer for implementing the same from 1-1-1973 was not accepted and it was introduced from 1-10-1981. Therefore the dispute.

5. The management by its written statement at Exh. M/4 contended that there is no substance in the contention made by the employees. It is averred that there were both the parties present to the negotiations which took place between all the concerns on January 24, 1979. Now the Union cannot go back and the rates from January 1st, 1973. It is prayed that the demand of the Union is unreasonable and contrary to the decisions taken in the meeting on 24-1-1979 and 1-10-1981 and it therefore be rejected with cost.

6. The issues that follow for my consideration are as under :

Issues	Findings
1. Whether the employer of Post & Telegraph, Telecom factories located at Bombay, Calcutta and Jabalpur were justified in not revising the incentive rates in respect of Direct and Indirect industrial workmen in the factory with effect from 1-1-73 in proportion to the same ratio and percentage as had initially been introduced with effect from 1-5-63?	In the Affirmative.
2. If not, what relief such workmen are entitled to?	Does not Survive.

REASONS

7. Exh. MW/7 is a purshis filed by both the parties informing the Tribunal that they do not want to lead any oral evidence.

8. It is undisputed that on January 24, 1979 a meeting was held between the Employer and the employees and there were different Unions which participated in the said discussion. (xerox copy of the minutes of the said meeting is Annexure "B"). The workman in this

matter was the party to the meeting. It was argued therein that

1. The Existing incentive rates will be revised upward by 50% over existing norms w.e.f. 1-1-75.
 2. The arrears, consequent on such revision will be paid as far as possible by 28-2-79 and in any case not beyond the end of the financial year.
 3. A study will be conducted into the existing norms so as to rationalise them by the factories Industrial Engineering sections who will associate in their studies an independent Professional authority nominated by the Management.
 4. The study will take into account the local conditions in each factory. The unions will also have access to the data collected and will be consulted according to the existing practice. The revised norms and consequential change in incentive rates will be applicable from the date they are installed.
8. Even though was agreed in that meeting that now the Union wants some changes regarding the said settlement this is not permissible. This is not accepted also. The Government had issued orders for the revision of pay. But none of them contains any in built formula for automatic revision of the rate of incentive. It is therefore not correct to say that the incentive scheme is related to the revision of pay scales or to the Revision of Dearness Allowance. There is no doubt that the incentive rate related to Basic pay the total quantum payable to the workers would naturally change if their pay scales are revised. The revision is always made with the consultation of the workmen. The incentive rates which have been revised with effect from 1-1-1975 as result of the decision of P&T Board taken in the meeting held on 24-1-1979.

9. For all these reasons, I find that the industrial dispute which is tried to be raised by the Telecom workers Union, Bombay for and on behalf of the Employer in granting incentives from 1-1-1973 is perfectly legal and proper. In the result I record my findings on the points accordingly and pass the following order.

ORDER

1. The Employer of Post & Telegraph, Telecom factories located at Bombay, Calcutta and Jabalpur were justified in not revising the incentive rates in respect of Direct and Indirect industrial workmen in the factory with effect from 1-1-1973 in proportion to the same ratio and percentage as had initially been introduced with effect from 1-5-63.
2. No orders as to cost.

24-8-94

S. B. PANSE, Presiding Officer

नई दिल्ली, 19 सितम्बर, 1994

आ.आ. 2595 .-- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इम्बार्केशन अमान्डेंट, बम्बई के प्रवन्धन के संबंध निधोजनों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, नं. 1, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-94 को प्राप्त हुआ था।

[संख्या एल-14012/28/87-डी.II (बी)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 19th September, 1994

S.O. 2585.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Embarkation Commandant, Bombay and their workmen, which was received by the Central Government on 9-9-94.

[No. L-14012/28/87-D.II(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-4 of 1990

PARTIES :

Employers in relation to the management of Embarkation Commandant Bombay.

AND

Their workmen

APPEARANCES :

For the Management—Shri R. K. Shetty, Advocate.

For the Workmen—Shri Wagh, Advocate.

INDUSTRY : Ports & Docks STATE : Maharashtra Bombay, dated the 25th day of August, 1994

AWARD

Government of India, Ministry of Labour, New Delhi has made under Section 10(1)(d) read with sub-section 2A of the Industrial Disputes Act, 1947, following reference for adjudication.

“Whether the action of the Embarkation Headquarters, Bombay in withholding the increments of Sh. S. V. Tulasakar, a permanent Tally Clerk which fell due on 1-4-80 and 1-4-85 is justified? If not, to what relief the workman is entitled?”

2. Statement of claim has been filed and written statement there to has also been filed.

3. Admitted position is that Shri Tulaskar was in the employment of Embarkation Commandant, Embarkation Headquarters, Bombay, as a permanent Tally Clerk, at Bombay Port. He was found guilty on two occasions and penalty of withholding of one increment each on the two occasions

was imposed upon him. The appeals preferred by him were rejected. The grievance of Shri Tulaskar is that the said orders of withholding of increments are repugnant to prevailing law, labour practice, natural justice, equity and good conscience inasmuch as the alleged misconduct had not been proved and that the management failed to follow due process of law. In the course of statement it has been stated that the workman has been denied a proper opportunity to defend himself.

4. The management has at the out set contended that this is not an industry within the meaning of Section 2(j) of the Industrial Disputes Act and therefore, the provisions of Industrial Disputes Act, 1947 are not applicable and consequently the reference is misconceived and this Tribunal does not have jurisdiction to deal with the reference. It is further contended that the delinquent workman was guilty of misconduct and since it was the case of minor penalty of withholding of increment the procedure prescribed therefor has been followed. It is further, contended that the misconduct was proved against him and he has been therefore, dealt with accordingly and rightly. It is then contended that the reference made on 15-1-1990 is after a lapse of 10 years and 8 years respectively after imposition of penalty by the Competent Authority and therefore suffered from laches and liable to be dismissed on that ground.

5. Denying that the proper opportunity was not given to him to defend himself and that due process of law was not followed the management has maintained that the reference is liable to be rejected for all the reasons stated in the written statement.

6. On behalf of the workman Shri Tulaskar himself filed an affidavit and subjected himself to cross-examination. The management examined Major Vijay Kumar on its behalf who was also cross-examined on behalf of the workman. It so happened that earlier Subedar M. G. Ahmed had filed an affidavit but since he was not available for cross-examination the management filed a fresh affidavit of Major Vijay-Kumar. In the absence opportunity to cross-examine him I have left Subedar Ahmed's affidavit out of consideration. Documentary evidence has been also adduced on behalf of the workman.

7. The management has relied upon the provisions of the C.C.S. (C.C.A) Rules to justify the orders passed by it. It is the case of the management that the delinquent workman committed misconduct and the misconduct consisted of disobeying orders given by the superiors. First act was committed on 1-4-1980 and it consists of refusal to prepare a gate pass for the speedy removal of defence cargo from the Docks to various defence establishments in the country. He refused to hand-over the documents to his senior and openly and publicly misbehaved with his superiors in the presence of superior's subordinates, thereby insulting his superior and lowering him in his status and reputation in the eyes of his subordinates. It has adversely affected the discipline in the organisation.

8. The second act of misconduct was committed on 11-3-1982 by refusing to travel in the body of a three ton vehicle thereby obstructing and impeding the smooth functioning of the Department. For both these misconducts the penalty was imposed and since the stoppage of increments was a minor penalty as

provided by Rule 11 of the C.C.S (C.C.A) Rules procedure envisaged by Rule 16 was followed. He directed that the Government Servant is to be informed for writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him reasonable opportunity of making such representation as he may wish to make against the proposal. Finding are to be recorded on each imputation of misconduct or misbehaviour. It is not obligatory to hold an enquiry which has to be held in every case in which the Disciplinary Authority is of the opinion that such enquiry is necessary. The Competent Authority has to no doubt take into consideration representation submitted by the Government servant. In this case the management states that he was called upon to give an explanation and make representation. That is evident from the papers produced. The articles of charges are accompanying the notice given to him and thereafter he made a representation. The representation has been considered by the Competent Authority and thereafter the Competent Authority has passed the impugned order. That is in September 1979. It is further seen that he appealed against that order, that the appeal came to be rejected and this order was communicated to him by letter dated 20-1-1981. A further review petition is made on 6-5-1982 and it appears that the same has been also rejected and decision communicated to him by letter dated 31-8-84.

9. The second misconduct was dealt with by giving him a show cause notice on 7th April 1982 and he made a representation on 29-4-1982. The articles of charges is accompanying the notice and the order is dated 19-6-1982. Once again an appeal has been preferred and the same has been considered and rejected as is obvious from the communication dated 27-9-1985. All this material will go to show that the provisions of Rule 16 have been followed and he has been given an opportunity to make representation as is contemplated by that Rule before imposing a minor penalty of withholding of increments. Grievance that he was not given an opportunity to defend himself or that due process of law has not been followed it is evident without merit.

10. The next contention that has been raised is that he had not committed misconduct. It is not possible to accept this submission. The misconduct consisted of defying orders of superiors and if that be so that misconduct is alleged and proved.

11. I, therefore, do not find any merit in the grievance of the delinquent. The order of withholding increments having been passed after considering the representation and after giving him opportunity to show cause and that is all that was required to be done under Rule 16. The Competent Authority recorded findings before passing the order and in view of this, I find that the workman is not entitled to any relief.

12. The management has contended that this Court has no jurisdiction to deal with the reference because Embarkation Head Quarters is not an industry within the meaning of Section 2J of the Industrial Disputes Act. It may not be necessary to record finding of this point since I have held that the

orders of withholding of increments do not call for any interference. However, I may say that the decision in the case of Bangalore Water Supply and Sewerage Board, etc. etc. and A. Rajappa and others, etc., etc., reported in 1978, 1 LLJ, page 349 which is a leading case on the point has applied the dominant nature test and also laid down that even in departments discharging sovereign functions, if there are units which are industries and they are substantially severable, then they can be considered to come within the meaning of Section 2(j). Functions that are discharged by the Embarkation are of movements of defence goods as stated in the affidavit of Mr. Vijay Kumar. However, it is seen that there has been 411 civilians out of 760 and 349 military personnel distributed in various categories. He has also referred to Special Army Order No. 17/S/76 dated 15-9-76 showing that the predominant function of the Embarkation Headquarters at Bombay is activity connected with the defence of the country with Army, Air Force and Navy and not loading and unloading operations of

defence cargo from the vessels in Bombay Port. However, as stated in the decision in Bangalore Water Supply case test of severance could be applied and if that is applied then even in departments discharging sovereign functions, if there are units which are industries and they are substantially severable, then they can be considered to come within Section 2(j). That appears to be so in this case before me and therefore the provisions of Industrial Disputes Act would apply to that extent and it would not be right to say that this Tribunal has no jurisdiction to deal with the present dispute between the employer and the employee, and that Central Government did not have the authority to refer such a dispute to this Tribunal for adjudication. However, in view of my finding on the first part of the reference namely that the action of the management in withholding increments is justified award is accordingly made.

R. G. SINDHAKAR, Presiding Officer